Wednesday, April 3, 1963
Chaitra 13, 1885(Saka)

LOK SABHA DEBATES

1619

Third Series
Volume XVI, 1963/1885 (Saka)
[*March 29 to April 11, 1963/ Chaitra 8 to 21, 1885 (Saka)*]

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FOURTH SESSION 1963/1884-85 (Saka)
(*Vol. XVI contains Nos. 31 to 40*)

LOK SABHA SECRETARIAT
NEW DELHI

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N.B.—The sign + marked above the name of a Member on Questions, which were orally answered, indicates that the Question was actually asked on the floor of the House by that Member.

GMGIPND—LS II—178 (Ai) LSD—24-4-63—880.

LOK SABHA

Wednesday, April 3, 1963/Chaitra 13, 1885 (Saka)

The Lok Sabha met at Eleven of the Clock.

[MR. SPEAKER *in the Chair*]

ORAL ANSWERS TO QUESTIONS

Anti-Indian Chinese Literature

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*682. **Shri Yashpal Singh:**
Shri D. C. Sharma:
Shri Rameshwar Tantia:
Shri Heda:
Shri Raghunath Singh:
Shri S. M. Banerjee:
Shrimati Maimoona Sultan:
Shri Kajrolar:
Shri Y. S. Chaudhary:
Shri Onkarlal Berwa:
Shri Bade:
Shri Jashvant Mehta:
Shri Hem Barua:
Shri Hari Vishnu Kamath:
Shri Kishen Pattnayak:
Shri Bagri:
Shri P. C. Borooah:

Will the Minister of **Home Affairs** be pleased to state:

(a) whether it is a fact that anti-Indian and banned Chinese literature is pouring in the country by foreign post;

(b) if so, the volume of inflow of this type of literature; and

(c) the action taken by Government to check this?

The Minister of State in the Ministry of Home Affairs (Shri Hajarnavis): (a) and (b). Some such liaerature has come to notice. It is, however, not a fact that literature of this type is pouring into India.

(c) The Customs authorities, who are concerned with preventing such import, have been asked to be vigilant and to exercise their powers to seize and destroy such literature where necessary.

श्री यशपाल सिंह : क्या यह सच है कि चाइना टुडे हिन्दुस्तान में खुले आम आ रहा है ?

श्री हजरनवीस : जी नहीं, खुले आम नहीं आ रहा है ।

श्री यशपाल सिंह : क्या यह भी सच है कि न्यु चाइना न्यूज एजेन्सी हमारे यहां डाक से अपना लिट्रेचर भेज रही है ?

गृह-कार्य मंत्री (श्री लाल बहादुर शास्त्री) : कौन भेज रहा है, यह कहना तो मुश्किल है, लेकिन कुछ चीजें भेजने की कोशिश की गई और कुछ चीजे यहां पहुंची भी हैं, लेकिन उन को रोक लिया गया है और जब्त कर लिया गया है ।

Shri D. C. Sharma: May I know what types of literature have been forfeited by the customs authorities so far? It will be convenient, Sir, if the details are given.

Shri Lal Bahadur Shastri: Well, Sir, they have dealt mainly with matters concerning the border trouble and the disputed border territories and areas. For example, they wrote an article. That was an article published in one of the Chinese newspapers more on Nehru's philosophy in the light of Sino-Indian boundary question.

Shri Hem Barua: That was a pamphlet by itself.

Shri Lal Bahadur Shastri: No, it was then an article. An article certainly could be converted into a pamphlet later on, but it was an article first. Similarly, there have been other books also on Sino-Indian boundary question. There was another pamphlet called *Cheen-Bharat Seema sawal per Nehru ke darshan ka paunarvisalashan*. These are the kinds of pamphlets.

Shri Rameshwar Tantia: May I know whether it has come to the notice of the Government that a minister of West Bengal stated that some members of a political party were behind the distribution of anti-Indian leaflets; if so, whether the Government has investigated in the matter?

Shri Lal Bahadur Shastri: If anyone is found distributing these pamphlets, naturally the Government will take action against him or against them. Some leaflets were circulated. Who did it actually, it has not yet been traced.

Shri Jashvant Mehta: May I know whether the Government have been able to trace the agency which is importing these anti-Indian Chinese literature, and what steps Government have taken in this matter? May I know whether anybody has been arrested in this connection?

Shri Lal Bahadur Shastri: No one has been arrested, as far as I am aware; except that our effort is not to allow such literature to come into India, and wherever they are found or they have been found they have been destroyed.

Shri Jashvant Mehta: Has the Government been able to trace the agency which is importing these literatures?

Shri Lal Bahadur Shastri: There is no agency as such which is importing this literature. It may be addressed to different places on different addresses.

श्री कछवाय : श्रीमन्, मैं यह जानना चाहता हूं कि क्या यह सत्य है कि ऐसे साहित्य का देश में कम्युनिस्ट कार्यकर्ताओं द्वारा तेजी से प्रचार और प्रसार हो रहा है । यदि हां, तो इस बारे में सरकार क्या कर रही है ?

श्री लाल बहादुर शास्त्री : कम्यूनिस्ट कार्यकर्ता उस में कितनी दिलचस्पी लेते हैं या ले रहे हैं, इस के बारे में मैं इस लिए कुछ नहीं कह सकता, क्योंकि यह सवाल तो इस बारे में है कि बाहर से इस देश में क्या आ रहा है । बाहर से जो लिट्रेचर आता है, उस को हम कम्यूनिस्ट कार्यकर्ताओं के हाथों में नहीं पहुंचने देना चाहते और न किसी और के हायों में पहुंचने देना चाहते हैं । यह सही है कि दिल्ली में भी इस तरह के पैम्फलेट या साहित्य आने की बात कही गई है ।

श्री विभूति मिश्र : क्या यह सही है कि हिन्दुस्तान में कुछ ऐसे लोग हैं, जो वायरलैस से चीन को खबरें भेजते हैं और वे सारी चीजें चीन से छप कर हिन्दुस्तान में आती हैं ?

श्री लाल बहादुर शास्त्री : हमारी जानकारी में तो ऐसा नहीं है ।

श्री तुलसीदास जाधव : मैं यह जानना चाहता हूं कि चाइना से जो लिट्रेचर यहां आता है, वह किस के नाम पर आता है ।

श्री लाल बहादुर शास्त्री : अलग अलग नामों पर आता है, लेकिन कुछ एक जगह ज्यादा आता है । मैं चाहूंगा कि माननीय सदस्य अभी नाम न पूछें, तो अच्छा हो ।

Shri Hem Barua: May I know if Government are aware of the fact that certain pro-China persons, individuals, in this country are engaged in overtly praising pro-Chinese leaders through literature, they have done it in Calcutta also where they distributed a pamphlet called . . .

Mr. Speaker: Order, order. He must come to the question. This relates to literature from outside.

Shri Hem Barua: What steps have Government taken to tighten up the vigilance and intelligence besides leaving it with the customs authorities?

Shri Lal Bahadur Shastri: We are taking other measures to keep a check on such activities.

श्री० यु० सिं० चौधरी : क्या सरकार का ध्यान इस बात की ओर आकर्षित किया गया है, कि पैम्फ्लैट्स और बड़ी बड़ी कापीज भेजने के बजाये रेडियो से या और किसी जरिये से कुछ हिंट्स हमारे देश में भेजे जाते हैं और कुछ एजेन्सीज उन को डेवेलप कर के चीन के पक्ष में प्रचार कर रही हैं, जिसका परिणाम वही है, जो कि उस लिट्रेचर को यहां एलाऊ करने से होगा, जिस को सरकार रोक रही है ?

अध्यक्ष महोदय : यह दूसरा सवाल है।

श्री यु० सिं० चौधरी : लेकिन इस का आबजेक्ट तो वही है।

Shri N. R. Ghosh: The hon. Minister has just now stated that these papers are sent to certain persons, Indians, who actually distribute them—this literature. If they thus offend the law, have any such persons been ever apprehended or even interrogated?

Shri Lal Bahadur Shastri: No such interrogation has taken place. Any pamphlet or leaflet could be despatched to any person. For example, if any letter is sent to me, I hope the Home Ministry will not put me in jail or detain me.

Shri Indrajit Gupta: May I know from the Home Minister whether among the Chinese literature which is coming from abroad and which is sought to be banned, Government include any literature which attacks the Communist Party of India?

Shri Lal Bahadur Shastri: The question is on import of literature from abroad.

Shri Indrajit Gupta: Would that be banned or allowed to come?

Shri Lal Bahadur Shastri: Well, if the question is if it goes against or criticises the Communist Party whether it should be banned, it is not necessary.

Shri Daji: On border issue.

Shri Lal Bahadur Shastri: Yes, on border issue. But if it affects the security of the country, it will certainly be seized, whether it comes from America, Russia, China, East European country or any other country.

National Book Trust

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*683. **Shri Rameshwar Tantia:**
Shri Bibhuti Mishra:
Shri Sidheshwar Prasad:
Shri Ramshekhar Prasad:

Will the Minister of **Education** be pleased to state:

(a) whether the National Book Trust has finalized any plan for producing cheap books on India;

(b) the likely coverage of such books; and

(c) whether the Plan will be framed in accordance with the recommendations of the Tarachand Committee?

The Deputy Minister in the Ministry of Education (Shrimati Sounderam Ramachandran): (a) Yes, Sir.

(b) The proposed series of books will cover ultimately all aspects of India, the land and its people.

(c) The Tarachand Committee's recommendations were of a general nature. They have been kept in view by the Trust in formulating their programme.

Shri Rameshwar Tantia: May I know whether the Book Trust will publish books in Hindi, translated from other languages? Have they already published such books and, if so, may I know their number? If not, do they intend publishing books from other languages also?

Shrimati Soundaram Ramachandran: The broad indications have been laid down. Firstly, books on subjects which come under the categories of "Science and Humanities", may be original books or translated from good and standard foreign or Indian books; they may be translated not only in Hindi but also in other languages. Secondly there will be translation of books of outstanding merit from all the languages of the world. Then for the other part of the question after the New Trust has been formed and Dr. Keskar has taken charge, some titles have been dropped, some others are left for publication through private publishers and others have been approved for publication in certain languages only. A new series of books "India—Land and People" is now planned to be published to give information about all aspects of the country—geographical, geological, botanical, zoological, agricultural etc. 49 volumes have been approved. The first few volumes will be out in June or July, 1963.

Mr. Speaker: She need not go into those details now.

Shri Rameshwar Tantia: May I know whether Government will bring out a magazine which will carry a review of the new publications in the country?

Shrimati Soundaram Ramachandran: It will be considered, Sir.

श्री विभूति मिश्र : बाहर से किताब आये या हिन्दुस्तान में छपी जायें मैं जानना चाहता हूं कि क्या वे इतनी सस्ती होती हैं कि गरीब उन को पढ़ सकें ?

Shrimati Soundaram Ramachandran: There is no allotment like that, namely so much for outside books and so much for inside books. These series are planned by our own people by appointing committees and they will take the material from various sources.

श्री सिद्धेश्वर प्रसाद : नैशनल बुक ट्रस्ट के प्रकाशनों के लिए जो किताबें चुनी जाती हैं वे किस तरीके से और किस आधार पर चुनी जाती हैं ?

शिक्षा मंत्री (डा० का० ला० श्रीमाली): नैशनल बुक ट्रस्ट एक स्वतंत्र बोर्ड है। उनकी एक छोटी कमेटी है जो चुनती है इन किताबों को और प्रसिद्ध लेखकों को। खास करके जिन सीरीज का हमारी डिप्टी मिनिस्टर साहिबा ने जिक्र किया है, उन के बारे में देश में अपने अपने क्षेत्र में जो प्रतिष्ठित लोग हैं उन से दरख्वास्त की गई है कि वे इस सीरीज में उन को लिखें।

श्री यशपाल सिंह : ये सस्ती किताबें जिन का आयोजन सरकार कर रही है वे प्राइमरी क्लास से ले कर डिग्री क्लास तक सस्ते में बच्चों को क्या मिल सकेंगी ?

डा० का० ला० श्रीमाली : उस लेवेल पर तो अभी ......

Shri Ranga: A little louder please.

डा० का० ला० श्रीमाली : उस लेवेल पर तो अभी विचार नहीं की गई हैं। साधारण लोगों के पास पहुंच सकें, इस दृष्टि से इसको किया गया है। छोटे बच्चों के लिए यह योजना नहीं है। लेकिन हाई स्कूल और कालेजेज में ये पुस्तकें जायेंगी तो उन से ये लड़के भी लाभ उठा सकते हैं।

Shrimati Savitri Nigam: What would be the price of one volume and have any books been published in Hindi also?

Dr. K. L. Shrimali: The price is being worked out.

श्री का० रा० गुप्त : नैशनल बुक ट्रस्ट के जो चेयरमैन हैं, वे अवैतनिक हैं या उनको कुछ वेतन मिलता है ?

डा० का० ला० श्रीमाली : चेयरमैन अवैतनिक हैं। उन को कोई तनख्वाह नहीं मिलती है।

Inter-University Board

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*684. **Shri P. R. Chakraverti:**
Shri Prakash Vir Shastri:
Shri Bishanchander Seth:
Shri Yashpal Singh:
Shri Sidheshwar Prasad Singh:
Shri Ramshekhar Prasad Singh:
Shri Bhakt Darshan:
Shri Bhagwat Jha Azad:
Shrimati Jamunadevi:
Shri Ram Harkh Yadav:
Shri Harish Chandra Mathur:
Shri Mohammad Elias:

Will the Minister of **Education** be pleased to state:

(a) the decisions of the Inter-University Board that met in Bombay in February, 1963 on the question of the medium of instruction in colleges;

(b) whether the Board discussed a proposal for transferring Education from State list to the Concurrent list; and

(c) whether Government have considered the Board's recommendations regarding the reservation of seats for students from other Universities and the uniform system of gradation for the degree examinations?

The Minister of Education (Dr. K. L. Shrimali): (a) to (c). A statement is laid on the Table of the House.

STATEMENT

(a) The Inter-University Board of India considered the question of medium of instruction and examination and resolved that the decision taken at the Vice-Chancellors' Conference held in Delhi in October, 1962 be endorsed.

(b) The proposal for the inclusion of University Education in the Concurrent List was made by the Banaras Hindu University. The Board decided to refer to its Standing Committee for further consideration.

(c) The recommendations of the Board regarding the reservation of seats for students from other Universities and the uniform system of gradation for the degree examinations will be considered by the Government when a formal reference is received from the Board. It may be added that full proceedings of the meeting held at Bombay in February, 1963 have yet to be made available by the Board.

Shri P. R. Chakraverti: Will the Government enlighten us regarding the opinion formed by it from its long experience as to how far the proposal of the Banaras Hindu University has been found acceptable to it?

Dr. K. L. Shrimali: The Vice-Chancellor of the Banaras Hindu University is one of the members of the Inter-University Board. He made certain suggestions as to whether education should be a concurrent subject or whether it should be in the Central List. The Inter-University Board has now appointed a committee and will place this matter before the Standing Committee. As far as the Government's views are concerned, this question has been coming up before the Government from time to time and there has always been an examination. We discussed this matter in the Chief Ministers' Conference also and the general opinion was that the present provisions in the Constitution were quite satisfactory for the Government to have its effective say as far as the universities were concerned.

Shri P. R. Chakraverti: Keeping in view the fact that the medium of instruction will ultimately be a regional language, what steps have been taken by the Government to see that the period of interregnum be reduced to the minimum?

Dr. K. L. Shrimali: During the discussion on the Demands of my Ministry, I enumerated....

Shri Ranga: Sir, will you kindly ask the hon Minister to speak a little louder? We are not able to follow what he says.

Mr. Speaker: There is a complaint that he is not audible.

Dr. K. L. Shrimali: I am very sorry, Sir, I will speak a little louder. During the discussion on the demands of the Education Ministry, I enumerated a number of steps which the Government have taken for the production of necessary text-books. We have appointed a Text-book Bureau in the Ministry of Education which is itself taking up a book. Some cells have been set up in Universities—University of Banaras, University of Delhi—which have undertaken a publication programme. We have also requested some other Universities to take it up. I am hoping that during the course of this year we will have about 100 to 150 standard books produced by various Universities and various bodies. The other Universities also, like the University of Gujarat and the University of Calcutta have undertaken the programme and have requested the Ministry to give them assistance. We have agreed to give them assistance. So, the programme is being undertaken and necessary steps are being taken to implement these recommendations.

श्री भागवत झा आज़ाद : ऐसी राज्य सरकारें को जो मसविदों के साथ क्षेत्रीय भाषाओं को अपने विश्वविद्यालयों में मीडियम आफ इंस्ट्रक्शन के रूप में चलाना चाह रही है, क्या केन्द्रीय सरकार उनको किसी प्रकार की विशेष सहायता देने का विचार कर रही है ?

डा० का० ला० श्रीमाली : सभी को लिखा गया है और जो भी इस में काम करेंगी, यूनिवर्स्टीज या राज्य सरकारें उन को भारत सरकार की तरफ से शत-प्रति-शत सहायता मिलेगी ।

श्री भक्त दर्शन : इस अन्तः विश्वविद्यालय बोर्ड ने जो प्रस्ताव पास किया है, उस की भाषा इस प्रकार है :

> "कि भारत के कालेजों में शिक्षा का माध्यम अभी अंग्रेजी ही रहेगा और उस के स्थान पर हिन्दी या प्रादेशिक भाषा को माध्यम तभी बनाया जा सकेगा जबकि उस पर पहले खूब सावधानी से विचार कर लिया जाएगा"

अतः मैं जानना चाहता हूं कि खूब सावधानी से विचार करने की क्या कोई अवधि निर्धारित की गई है और इस पर कब तक विचार होता रहेगा ?

Dr. K. L. Shrimali: The Inter-University Board has endorsed the resolution which was passed by the Vice-Chancellors' Conference in Delhi. The Vice-Chancellors' Conference have generally endorsed the resolution of the National Integration Council. The principle of switching over to regional languages and Hindi has been accepted by the National Integration Council and the Vice-Chancellors' Conference and the Inter-University Board. The question is of making necessary and adequate preparation. The hon. Member will agree that in a matter like this, we cannot hustle through. We have to take necessary steps and have adequate preparation in the production of books and the Ministry has taken a very comprehensive programme for the production of text-books in science and technology particularly.

श्री प्रकाशवीर शास्त्री : जो विश्वविद्यालय राज्य सरकारों द्वारा चलाये जा रहे हैं, उनको दूसरे विश्वविद्यालयों के समकक्ष लाने के लिए, उनकी पाठ्यावधि शिक्षा का माध्यम आदि सब में एकीकरण करने के लिए, क्या इस प्रकार की कोई चर्चायें भी इस बोर्ड में हुई थीं कि इन सब को केन्द्रीय सरकार अपने संरक्षण में ले ले, यदि हां तो इस सम्बन्ध में भारत सरकार की क्या प्रतिक्रिया है ?

डा० का० ला० श्रीमाली : कुछ इस तरह का प्रश्न भी उठा था । जहां तक इंटर-यूनिवर्सटी बोर्ड का ताल्लुक है, यह एक

स्वतंत्र बोर्ड है और उन्हीं की एक कमेटी है। लेकिन जो यूनिवर्सिटी ग्रांट्स कमिशन है और जो वाइस चांसलर्ज हैं वे वक्त वक्त पर तरह तरह के कदम उठाते हैं यूनिवर्सिटीज में यूनिफार्मिटी लाने के लिए।

श्री प्रकाशवीर शास्त्री : जब यह प्रश्न उठा है तो उस पर भारत सरकार की क्या प्रतिक्रिया है ?

डा० का० ला० श्रीमाली : जहां तक स्टैंडर्ड का ताल्लुक है, हम चाहते हैं कि सभी यूनिवर्सिटीज ऊंचे स्टैण्डर्ड अपनायें और ऊंचे स्टैंडर्ड तक आ सकें। जो नई यूनिवर्सिटीयां हैं और खास कर के जिन के स्टैंडर्डज में यूनिफार्मिटी नहीं है यूनिफार्म सिलेबस नहीं है, यूनिफार्म क्राइटीरिया नहीं है, अगर उन से आप का मतलब है तो इस के सम्बन्ध में दो एजेंसीज काम करती हैं। एक तो इनफार्मल इंटर-यूनिवर्सिटी बोर्ड है जो कि वक्त वक्त पर देखता है कि सब यूनिवर्सिटीज के स्टैंडर्ड बराबर हैं या नहीं है। दूसरे यूनिवर्सिटी ग्रांट्स कमिशन यूनिवर्सिटीज को इस दृष्टि से सहायता देता है कि उन सब का स्तर ऊंचा हो सके और सारे भारतवर्ष की यूनिवर्सिटीज एक स्तर की हो सकें। इस का मतलब यह नहीं है कि सभी यूनिवर्सिटीज यकसां हो जायें क्योंकि फैकल्टीज तरह तरह की होती हैं यूनिवर्सिटीज में बराबर और हर एक यूनिवर्सिटी दूसरी यूनिवर्सिटी के एक से पैमाने पर नहीं आ सकती है। लेकिन कोशिश की जा रही है कि सब के स्टैंडर्ड ऊंचे हों।

Shri Harish Chandra Mathur: Referring to part (b) of the Question regarding the transferring of 'Education' from the State List to the Concurrent List, may I know whether the State Governments had given the green signal so as to consider it in the Inter-University Board which has no *locus standi* otherwise?

Dr. K. L. Shrimali: As I said, this matter was considered in the Chief Ministers' Conference, and that was postponed. No decision was taken on this subject at that time. But the Inter-University Board is quite free to make any recommendation they like.

श्री यशपाल सिंह : सारे भारत में एजुकेशन एक ही मीडियम से दी जाय इसके बारे में सरकार कब तक निर्णय कर के किसी आधार पर पहुंच रही है ?

डा० का० ला० श्रीमाली : यह सम्भव नहीं है।

श्री सिद्धेश्वर प्रसाद : क्या बोर्ड की इस बैठक में त्रिवर्षीय स्नातक पाठ्यक्रम के सम्बन्ध में भी विचार किया गया था ? यदि विचार किया गया था तो क्या इस तरफ भी ध्यान दिया गया था कि बहुत से विश्वविद्यालयों ने लागू करना तो दूर रहा इस पर विचार भी नहीं किया है ? यदि हां, तो इस सम्बन्ध में क्या निर्णय किया गया है ?

डा० का० ला० श्रीमाली : यह विस्तृत प्रश्न इसमें से नहीं उठता है। अभी जो इंटर यूनिवर्सिटी बोर्ड की रिपोर्ट है वह मेरे पास आने वाली है। मैं उसे सदन की टेबुल पर रख दूंगा और जो निर्णय इंटर यूनिवर्सिटी बोर्ड ने लिया है, उस के बारे में माननीय सदस्य देख सकते हैं।

Formation of Service Cadre in Union Territories

***685. Shri Rishang Keishing:** Will the Minister of **Home Affairs** be pleased to state:

(a) the Union Territories which have formed service cadre of their own; and

(b) when Government propose to form a similar cadre in other Union Territories also?

The Minister of State in the Ministry of Home Affairs (Shri Hajarnavis):

(a) The following Joint Services Cadres have been constituted for Delhi and Himachal Pradesh:

1. Joint Indian Administrative Service/Indian Police Service cadres.
2. Joint Delhi-Himachal Pradesh Civil/Police Service cadres.

(b) The question as to whether appropriate posts of other Union territories might be included in one or the other of the joint cadres of Delhi-Himachal Pradesh, is under consideration.

Shri Rishang Keishing: May I enquire why the formation of these service cadres has been found necessary for Delhi and Himachal Pradesh, and why the same has not been found necessary for Manipur, Tripura and other Union Territories?

Shri Hajarnavis: It is proposed to be done.

Mr. Speaker: He wants to know why the same has not been found possible for Manipur, Tripura and other Union Territories.

Shri Hajarnavis: These cadres have been formed for Delhi and Himachal Pradesh, but the proposal to include the other territories also is under active consideration, and we shall be able to take a decision soon.

श्री भक्त दर्शन : इस तरह का जो संयुक्त काडर बनाया जा रहा है उस में क्या संघीय क्षेत्रों के स्थानीय निवासियों को प्राथमिकता दी जायेगी ?

श्री हजरनवीस : इसके लिये अलग रूल्स बने हैं, उसी के मुताबिक होगा ।

अध्यक्ष महोदय : इसमें जो स्थानीय आदमी हैं क्या उनको प्राथमिकता दी जायेगी ?

Shri Hajarnavis: My answer to that is there are rules regarding recruitment to the all-India services, which will apply, and so far as promotion of the officers from the local service is concerned, there will be a quota fixed for them.

Shri Rishang Keishing: May I know whether there is a demand from the State Government that the service cadres for these Union Territories be included in one of these cadres for Delhi and Himachal Pradesh, and if that is not so, may I know why a separate cadre for these territories could not be formed?

Mr. Speaker: Now, the hon Member is arguing.

Shri Hajarnavis: Either there shall be one common cadre or there shall be a different cadre for Tripura and Manipur, but as at present, advised, we are examining the question whether there cannot be one common cadre.

"Solvent Extraction" Plant

***686. Shri Surendra Pal Singh:** Will the Minister of **Mines and Fuel** be pleased to state:

(a) whether Government are considering the setting up of a public sector "Solvent Extraction" plant to increase the oil production in the country; and

(b) if so, when and where this plant will be setup?

The Parliamentary Secretary to the Minister of Mines and Fuel (Shri Thimmaiah): (a) No, Sir.

(b) Does not arise.

Shri Surendra Pal Singh: May I know whether the Government have made any efforts to ascertain whether this particular process of oil extraction is better and more efficient than the existing machine-crushing processes, and if so, what are the results of that enquiry?

Shri Thimmaiah: These solvents are generally used for extraction of the vegetable oils, and also they are generally used in the rubber industry and also in the paint industry.

Shri Surendra Pal Singh: May I know whether the vegetable oil extracted by this process is suitable for human consumption or it is meant entirely for industrial use?

Shri Bhagwat Jha Azad: We want the answer to the first question. That question has not been replied to at all. We want to know whether Government have considered whether this process is economical or not?

The Minister of Mines and Oil (Shri K. D. Malaviya): No. The answer to part (a) of the main question is 'No'. This has not been considered by this Ministry. This is a question for the Commerce and Industry Ministry to ensure which has to consider all aspects of it.

But I may inform the House that in the Gujarat refinery which is being established at Koyali, there will be a solvent manufacturing unit attached to the crude distillation unit of our refinery, and that will produce some solvents, some quantities of solvents of the order of 5000, 10000 or 15000 tons of different grades. As regards the utilisation that is a question for the Commerce and Industry Ministry to advise.

कालेज आफ सर्वे (सर्वेक्षण महाविद्यालय)

*६८७. **श्री भक्त दर्शन :** क्या वैज्ञानिक अनुसन्धान और सांस्कृतिक-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि 'सर्वे आफ इंडिया' (भारत सर्वेक्षण विभाग) के अधीन एक 'कालेज आफ सर्वे (सर्वेक्षण महाविद्यालय) स्थापित करने का निर्णय किया गया है ;

(ख) यदि हां, तो क्या उसके उद्देश्य, कार्य-प्रणाली और वित्तीय पहलुओं को दिखाने वाला एक विवरण सभा पटल पर रखा जायेगा ;

(ग) उक्त कालेज की स्थापना में अब तक क्या प्रगति हुई है ; और

(घ) कालेज को हैदराबाद के स्थान पर देहरादून में स्थापित करने के क्या विशेष कारण हैं ?

वैज्ञानिक अनुसन्धान और सांस्कृतिक-कार्य मंत्रालय में उपमंत्री (डा० म० मो० दास) : (क) जी नहीं ।

(ख), (ग) और (घ). सवाल पैदा नहीं होता ।

श्री भक्त दर्शन : मैं यह जानना चाहता हूं कि क्या इस विद्यालय की स्थापना के बारे में कोई विचार किया जा रहा है या नहीं ? यदि स्थापित नहीं किया गया तो क्या इस पर विचार तो किया जा रहा है ?

Dr. M. M. Das: There is a proposal before the Government of India for the establishment of such an Institute, but considering the present situation, financial difficulties of our Government, we have not uptill now given much thought to it.

श्री भक्त दर्शन : जब कभी यह विद्यालय स्थापित किया जायेगा क्या उस समय इस बात का ध्यान रखा जायेगा कि चूंकि देहरादून में पहले से सर्वे का हेडक्वार्टर है, वहां इसके लिये भूमि भी उपलब्ध है और वहां ट्रेनिंग की भी सुविधायें हैं, इसलिये यह विद्यालय देहरादून में ही स्थापित किया जाये ?

Mr. Speaker: It is a suggestion only.

Naharkatiya-Barauni Oil Pipeline

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*688. **Shri P. C. Borooah:**
Shri Maheswar Naik:
Shri R. S. Pandey:

Will the Minister of **Mines and Fuel** be pleased to state:

(a) whether the laying of Naharkatiya-Barauni oil pipeline has been completed;

(b) if so, when; **and**

(c) when the Barauni refinery is expected to be completed so as to put the Nunmati-Barauni pipeline into operation?

The Parliamentary Secretary to the Minister of Mines and Fuel (Shri Thimmaiah): (a) and (b). The crude oil pipeline from Naharkatiya to Barauni was completed in February, 1963.

(c) The first stage of the Barauni Refinery is scheduled to be commissioned during October-December, 1963.

Shri P. C. Borooah: Is it a fact that construction of the pipeline was done by engineers from UK and West Germany, while the Barauni refinery was constructed with Russian collaboration? If so, is there any lack of planning or co-ordination between the two agencies which is responsible for this time-lag? If not, what is the reason for the time-lag?

The Minister of Mines and Fuel (Shri K. D. Malaviya): So far as I am aware, the entire pipeline was constructed from the oilfield to Barauni by one set of people—contractors. There might have been here and there some advice by the Russians in view of the fact that Barauni refinery was constructed by them. Some advice might or might not have been accepted. If the hon. Member wants to know specifically, he might table a separate question then I will answer.

Shri P. C. Borooah: May I know whether any refining unit of the Barauni refinery has been completed? If so, whether that can be put into operation to make at least partial use of this pipeline?

Shri K. D. Malaviya: No. If that were so, the pipeline would have been utilised. Our first refinery unit will be ready for operation in October/November. We have been a little late—by two or three months—which is unavoidable. There might be another 15—30 days' delay. We are trying to do it as soon as possible.

Shri Maheswar Naik: What is the volume of crude oil which is likely to be transmitted to the refinery and what will be the output of the refined products?

Shri K. D. Malaviya: The Barauni refinery at present has been designed to take a quantity of 2 million tons per year. There will be a first period when it will start with one million ton distillation, and after a few months, it will take in the second million. It is also proposed to expand this refinery to 3 million tons by 1965-66. At that time, more crude oil will be produced.

Shri Vishram Prasad: What are the precautions Government is taking or propose to take to save the refinery and the pipeline at the time of war?

Shri K. D. Malaviya: That is a question which might be answered by the Defence Ministry.

Shri A. P. Jain: Also those precautions should not be disclosed.

श्री कछवाय : मैं यह जानना चाहता हूं कि इस पाइप लाइन को दिल्ली तक लाने का काम कब तक पूरा हो जायेगा ?

श्री के० दे० मालवीय : यह पाइप लाइन दिल्ली तक नहीं आयेगी । यहां बरौनी से दूसरी पाइप लाइन चलेगी जिसमें से जो प्रोडक्ट्स वहां पर रिफाइन होंगे, जैसे मिट्टी के तेल वगैरह, या दूसरी चीजें, उनको लाने का इरादा है । अभी इसके बारे में प्लानिंग हो रही है, प्रोजेक्ट बनने की तैयारी हो रही है ।

Shri Hem Barua: On a previous occasion, the hon. Minister said that the product pipeline between Barauni and Calcutta might be slightly modified. May I know the nature of this modification?

Shri K. D. Malaviya: Yes, I said something like that. There might be some modification in our plans of bringing products from Barauni to Calcutta, because we are now contemplating the possibility of taking some crude oil from Calcutta to Barauni, in case we are not able to get the supplies under certain circumstances. From that point of view we are now thinking of having two pipelines, or perhaps integration in such a way that both the purposes could be served, *i.e.*, taking the products from Barauni to Calcutta for distribution, and to bring some crude from Calcutta to Barauni.

Shri K. C. Pant: May I know if any test trials have been held on the oil pipelines since completion, and if so, are the results entirely satisfactory?

Shri K. D. Malaviya: I do not know, because the crude oil has no use at this end just now but they must have tested for pressures leakages and all that. They must have done it, but I am not aware of it.

Shri Bhagwat Jha Azad: May I know whether the pipeline so far constructed is in a position to transmit the volume of oil that will be required for this refinery when its capacity is increased to three million tons?

Shri K. D. Malaviya: Yes, Sir. That is a question which is under examination. The plan is to modify, to have some other pumps and all that, and I hope that our experts will try to transmit this quantity of oil without increasing such expenditure.

श्री विभूति मिश्र : इस पाइपलाइन से जो रिफाइंड तेल जाएगा, क्या उसके बारे में सरकार ने कोई टारजेट बनाया है कि उत्तर बिहार में कितना खर्च किया जाएगा और दूसरी जगहों को कितना भेजेंगे ?

श्री के० दे० मालवीय : शोधित किये हुए तेल का खर्चा बिहार में कितना होगा और दूसरी जगहों पर कितना होगा, इसका तखमीना लगाया जाएगा ।

श्री त्यागी : तरकारी छौंकने के काम तो नहीं आएगा ।

Interchange of I.A.S. and I.F.S. Officers

***689. Shri Harish Chandra Mathur:** Will the Minister of **Home Affairs** be pleased to state:

(a) whether the scheme for the interchange of I.A.S. and I.F.S. officers has been finalised and implemented; and

(b) the terms of interchange and the number of officers already interchanged?

The Minister of State in the Ministry of Home Affairs (Shri Hajarnavis): (a) A scheme for the interchange of I.A.S. and I.F.S. Officers has been approved for adoption on an experimental basis.

(b) No exchange of officers has taken place so far under this scheme. The broad features of the scheme are as follows:—

(i) I.A.S. and I.F.S. officers will be exchanged in equal numbers, and the total number of officers exchanged from each Service would be 12 in the first instance.

(ii) Ordinarily, officers with 8 to 15 years of service alone would be eligible for consideration under the scheme. I.A.S. officers selected under the scheme would be appointed as First Secretaries in Indian Missions abroad and would ordinarily be utilised more on commercial and economic and possibly, consular work than on political work, or in the Chancery. I.F.S. officers would be appointed as Deputy or Under Secretaries in the Central Ministries.

(iii) The period of deputation would be three years, which may be extended in exceptional cases upto four years.

(iv) Officers selected would in all cases continue to draw their own scale of pay while on deputation and would be entitled to the usual foreign allowances.

Shri Harish Chandra Mathur: May I know what would be the procedure for the selection of these officers for deputation from one service to the other, and whether the wishes and inclinations of all the officers would be considered?

The Minister of Home Affairs (Shri Lal Bahadur Shastri): Naturally, it will have to be left to the department concerned. The External Affairs Ministry and the Home Ministry will prepare a panel of names. The State Government will also be consulted. In fact, we have already written to the State Governments to send names from their States of IAS officers. Generally, this will be the procedure. As the number is very small, that is 12, we cannot have a very long drawn procedure.

Shri Harish Chandra Mathur: May I know whether in finalising the scheme, they have come to the conclusion that the IAS officer is good enough for foreign service, and that any foreign service officer is good enough for the IAS, or whether any grounding or training will be given before they are transferred?

Shri Lal Bahadur Shastri: As my colleague has said, it is just an experimental measure. It will not be quite correct to say that each and every officer can do the other job, but the IAS officers who will be sent abroad or to any Embassy will naturally concentrate more on economic and commercial work than on political work.

Shri Sinhasan Singh: May I know how the scheme began? Was it initiated by the IAS and IFS officers themselves, or did idea come from the Government? Is such a practice obtaining in any foreign Government?

Shri Lal Bahadur Shastri: I cannot say anything specific about the other countries. But this was considered by the External Affairs Ministry which made the suggestion to the Home Ministry. It think it is a good scheme and we should have a trial and see how it works.

Shri Tyagi: I want to know why the Home Ministry yielded to the request of the External Affairs Ministry in this matter? If the standard of their emoluments and educational qualifications are the same why are both the cadres not amalgamated so that they can inter change their experiences?

Shri Lal Bahadur Shastri: I am sorry. I explained it just now. I said that those officers, I.A.S. officers, who are to be sent to the External Affairs Ministry will have special experience on subjects like economics and will mainly deal with economical and commercial matters. The IFS officers have to look after the political side and other sides as well.

Shri A. P. Jain: The Home Minister has given some reasons for deputing IAS men to the foreign services. What are the reasons that have weighed with him for transferring IFS officers to work as IAS officers?

Shri Lal Bahadur Shastri: I think in a way the problem really arose because of some adjustments, absorption, etc. For instance, it has so happened that they have found it difficult to place them, to transfer them and to post them in different places at one time. Sometimes there is surplus. There are other difficulties. It is in that context that they wrote to the Home Ministry. Besides, I do not think the hon. Members can have any objection because there are the same competitive examinations for the IAS and IFS. If some of them have got some experience on local problems, it will be better.

Semi-Conducting Rock in Rajasthan

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*169. **Shri D. C. Sharma:**
Shri Ram Harkh Yadav:
Shri Maheswar Naik:
Shri J. B. S. Bist:
Shrimati Savitri Nigam:
Shri P. R. Chakraverti:

Will the Minister of **Scientific Research and Cultural Affairs** be pleased to state:

(a) whether a semi-conducting rock has been discovered near Bhilwara in Rajasthan which can be used as transistor; and

(b) if so, the details thereof?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) and (b). Radio receivers using transistors reported to have been prepared by cutting thin sections of a natural rock from Rajasthan were demonstrated by a scientist at the National Physical Laboratory, New Delhi. Information regarding the location of the rock in Rajasthan or the details of fabrication of the sets was not, however, disclosed.

Shri D. C. Sharma: May I know if any foreign country had sent a note to the Ministry that they were prepared to make use of this rock for transister purposes?

Shri Humayun Kabir: We have no information to that effect.

Shri D. C. Sharma: Will this work be entrusted only to the National Physical Laboratory or some other laboratories also will be made use of for conducting research?

Shri Humayun Kabir: The scientist concerned was asked to leave the sets so that they would be sent to Pilani where we have the Central Electronic Engineering Research Institute which is well-equipped and which could be utilised. We are considering his reply.

Shri Maheswar Naik: May I know whether a former head of a department of the Delhi University has requested the Government to conduct further researches in the research institutions under them and if so what progress has been made in that direction?

Shri Humayun Kabir: As I said just now, some demonstrations were carried out in the NPL and this scientist was requested to leave the things with us. We shall certainly pursue it.

Shrimati Savitri Nigam: May I know whether the rock was got by the scientist who has made this experiment or he was given this rock by the laboratory?

Shri Humayun Kabir: As I have said, we do not know about the location of the rock. He himself had found it. I can explain by saying that this is a special kind of formation which is sometimes found in small quantities, and if they are found in a large quantity, it would certainly be a very attractive commercial proposition. But we do not know, till there has been a proper survey. The Geological Survey of India is surveying the Rajasthan mineral resources generally, but they have not also reported so far that there are any large findings of the formation of this particular type.

Shri P. R. Chakraverti: May I know whether it is a fact that the discoverer of this rock has applied for the Government to take up the patent rights rather than keep the rights for himself.

Shri Humayun Kabir: We have actually assured him that if he wants to have the patent rights with himself, he can have them. If he offers it to us, we shall certainly consider it.

श्री विश्राम प्रसाद : क्या मंत्री महोदय यह बतलाने का कृपा करेंगे कि जैसा कि हम लोगों ने अखबारों में पढा था कि इस तरह के सस्ते ५० रुपये में ट्रांसिस्टर्स बनाये जायेंगे, तो इस तरह की कोई फैक्टरी खोलने का विचार है जिसमें कि इस तरह के सस्ते ट्रांसिस्टर्स पबलिक को मिल सकें ?

अध्यक्ष महोदय : यह तो दूसरा सवाल है ।

Shri Kashi Ram Gupta: Has the Geological Survey of India been asked to locate this area in Rajasthan?

Shri Humayun Kabir: They are generally surveying. As I said just now this particular formation is found here and there in small quantities. It is not economical unless it is found in large collections, in which case it will become economical and we would ask the Geological Survey to find out.

"Mining Leases in Orissa"

***692. Shri Surendranath Dwivedy:** Will the Minister of **Mines and Fuel** be pleased to state:

(a) whether any mining leases in Orissa were revised by the Central Government;

(b) if so, the number of such cases during the last seven years and whether the Government of Orissa also approached for revision of some of the leases given before; and

(c) in how many cases the Government of India have allowed revision?

The Parliamentary Secretary to the Minister of Mines & Fuel (Shri Thimmaiah): (a) Yes Sir, on receipt of revision applications from the parties or on a reference from the State Government as provided in the rules.

(b) & (c). During the last seven years, 9 revision applications were allowed out of a total of 391. Of 4 references made by the State Government themselves, 3 were allowed by the Central Government.

Shri Surendranath Dwivedy: May I know whether, among the revisions made, one of the parties was Serajuddin & Co.?

The Minister of Mines and Fuel (Shri K. D. Malaviya): I am not aware of it. In so far as the papers which are before me are concerned, there is no party like Serajuddin & Co., but I will make further enquiries, and let the hon. Member know about it.

Shri Surendranath Dwivedy: May I know which are the mining leases which have been revised by the Central Government in spite of the opposition of the Government of Orissa?

Shri K. D. Malaviya: The information that is before me is general, namely, out of 391, as I have said, nine orders of the State Government were revised. I do not know as to why and under what circumstances, it was done.

Shri Surendranath Dwivedy: The name of the party is not with the Minister?

Shri K. D. Malaviya: It is not with me. One was revised in 1958; the second was in 1959; the third was in 1961. In 1962, six were revised.

Shri Hem Barua: May I know if it is not a fact that the revised industrial policy resolution of 1956 laid down specifically that no mining leases will be offered in respect of manganese ore to private parties and, if so, may I know whether it is a fact that Government have offered mining leases to private parties, particularly to Serajuddin & Co., in Orissa, and if the Minister does not have this information, will he check it up?

Shri K. D. Malaviya: It is a fact that under the industrial policy resolution Schedule A minerals are reserved for public sector undertakings. But the industrial policy resolution has also laid down that where the areas are small or isolated, where the public sector project is not able to undertake it, and still it is beneficial for the industry to operate those mines, then the recommendations of the State Governments will not be objected to and we will not raise any objection. I do not know if after 1956 any specific licence or lease was given to Serajuddin & Co. But I will make enquiries.

Shri D. N. Tiwary: May I know whether it is a fact that a revision petition of Serajuddin & Co. was referred to by the Orissa Government to the Central Government and it was rejected?

Shri K. D. Malaviya: As a matter of fact, I have no lease application items before me which refer specifically to Serajuddin & Co., but generally speaking the recommendations of the State Governments are not revised here, not rejected here, unless the rules and the laws are breached in some way by the parties concerned. It is only on appeal that the Government of India come into the picture. Otherwise, normally they accept the recommendations of the State Government. If any recommendation regarding Serajuddin and Company has come to the Government of India for any specific reason, it might have been considered in the normal course.

कोयला श्रेणीकरण सम्बन्धी प्रतिवेदन

*९९३. **श्री कछवाय :** क्या खान और ईंधन मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि कोयला श्रेणीकरण सम्बन्धी विशेषज्ञ समिति ने अपना प्रतिवेदन प्रस्तुत कर दिया है ;

(ख) यदि हां, तो उसमें क्या सिफारिशें की गई हैं ?

(ग) क्या सरकार का विचार उन सिफारिशों को क्रियान्वित करने का है ; और

(घ) यदि हां, तो कब तक ?

The Parliamentary Secretary to the the Minister of Mines and Fuel (Shri Thimmaiah): (a) Yes.

(b) to d). The main recommendation of the Committee is that all coals whether coking or non-coking should be graded on the basis of calorific value. Under the proposed system, coals will be graded into fifteen categories, ranging in their heat value from 5500 British Thermal Units per lb., to 12950 B.T.U. per lb. Other recommendations pertain to the procedure for determining these grades, *e.g.* method of sampling and analysis according to I S.L. standards, exclusion of dirt bands of specific sizes, the number and frequency of samples to be taken, and the procedure for giving a provisional grade, and subsequently a final grade. These recommendations are at present under the consideration of Government.

[(क) जी हां ।

(ख) से (घ). समिति की मुख्य सिफारिश यह है कि सारे कोयलों का, चाहे वे कोककर या अकोककर (coking (on non-coking) हों उष्मीय मूल्य ((colorific value)) के आधार पर वर्गीकरण होना चाहिए । प्रस्तावित पद्धति के अन्तर्गत कोयले के उष्मीय मूल्य को ५५०० ब्रिटिश थरमल यूनिट्स ((British Thermal Units)) प्रति पाऊण्ड से लेकर १२९५० ब्रिटिश थरमल यूनिट्स प्रति पाऊण्ड तक की १५ श्रेणियों में वर्गीकरण किया गया है । अन्य सिफारिशें इन ग्रेडों के निर्णय करने की पद्धति से सम्बन्धित हैं; जैसे कि आई० एस० आई० स्टैण्डर्ड्स के अनुसार न्यादर्शन और विश्लेषण ((Sample and analysis)) के तरीके, विशिष्ट आकारों के कीचड़ पट्टियों का निकासन, लिये जाने वाले नमूनों की आवृत्ति और संख्या तथा एक अनन्तिम ग्रेड एवं उत्तरोत्तर एक अन्तिम ग्रेड देने की पद्धति । फिलहाल ये सिफारिशें सरकार के विचाराधीन हैं ।]

श्री कछवाय : श्रीमन्, इस समय अच्छे क़िस्म का कोयला तैयार करने के लिए कोयले की धुलाई के कारखाने देश में कितने हैं ?

खान और ईंधन मंत्री (श्री के० दे० मालवीय) : उन की ठीक संख्या तो मुझे ज्ञात नहीं है लेकिन तीन, चार इस वक्त बन रहे हैं, तैयार हो रहे हैं और ५ या ६ बन कर तैयार भी हो चुके हैं जहां कोयला धोया जा रहा है ?

श्री कछवाय : तीसरी योजना में कोयले की धुलाई के कारख़ाने किन किन राज्यों में खुलने जा रहे हैं ? सरकार के पास क्या ऐसी कोई योजना है ?

श्री के० दे० मालवीय : इस बारे में मेरे पास इस समय कोई सूचना नहीं है ।

Shri Indrajit Gupta: May I know how far this calorific gradation of coal will affect the price structure of coal and whether the price structure of coal will have to be revised?

Shri K. D. Malaviya: The Government is considering the entire question of correlating the price to the calorific value of coal. As I have stated in the main answer, there are about 15 grades of coal that are proposed to be specified. Naturally we would like to minimise the pattern of price to as low a number as possible, but still there will have to be some difference in the price according to the calorific value.

Shri Hem Barua: In view of the fact that the increase in coal production is accompanied by a concomitant decrease in quality because of the high percentage of ash content, may I know what specific steps Government have taken to check this aspect?

Shri K. D. Malaviya: The only solution for dealing with low grade coal is to wash them and blend them so that they may be used for industrial purposes. Government are thinking of linking every coal-mine with a washery or a group of small mines with a washery, so that the quality may be improved. At the same time, the question of middlings also arise, because the middlings will be a bye-product of the washed coal and they can be used in power units.

Shri Sham Lal Saraf: In view of the fact that industrial development is taking place all round, may I know if the process of getting washed coal available for the industries has kept pace with the requirements of the industries and if so, to what extent?

Shri K. D. Malaviya: Yes; we are trying to keep pace with the requirements of industries in regard to coking coal and non-coking coal wherever we are not able to use coking coal, we try to bring better quality of coal by washing and blending. But according to our latest programme, by the end of the third Plan, we do not expect that we shall be short of production of coking coal. In fact, we shall be producing a little more than what we shall need.

Shri K. C. Pant: In view of the shortage of coking coal in the country, is Government taking any steps to conserve its reserves and are any priorities being laid down for consumption of coking coal?

Shri K. D. Malaviya: Yes, Sir; very much so. We are trying our best to conserve the coal. But in the last few decades there has been some misuse of the better quality coal. The quantity is not very large. So the washing programme is one of those methods by which we would like to conserve coal, Railways are always supposed to be supplied with wasned non-coking coal.

Shri S. C. Samanta: May I know when this expert committee was set up and how many mines were visited by them?

Shri K. D. Malaviya: Sir, I will require notice to answer that question.

Shri Bhagwat Jha Azad: May I know how far these recommendations refer to the method by which we can stop the under-hand device of mixing lower grade coal where higher grade coal is supposed to be supplied?

Shri K. D. Malaviya: All these are inter-related questions—the question of production of coal, beneficating it and sending it for proper use. Because there are too many coal mines, it becomes sometimes difficult to control the utilisation of coal from the point of view of quality. But the rules and regulations, it seems, are having their effect, and we are gradually controlling the proper utilisation of coal.

Low Temperature Carbonisation Plant at Kothagudium

*694. **Shri Eswara Reddy**: Will the Minister of **Mines and Fuel** be pleased to state:

(a) the present stage of the proposal to set up a Low Temperature Carbonisation Plant at Kothagudium, Andhra Pradesh;

(b) the capacity of the proposed plant; and

(c) the amount required for the same?

The Parliamentary Secretary to the Minister of Mines and Fuel (Shri Thimmaiah): (a) to (c). The proposal to set up three Low Temperature Carbonisation plants in the public sector, of which one was to be at Kothagudium (Singareni), has not made any progress for want of adequate resources, both internal and foreign. In the private sector, however, recently an application by Shri Hashim Mehdi to set up a Low Temperature plant at Kothagudium has been considered and a letter of intent has been issued, pending the grant of an industrial licence. The project will have an out-put capacity of 0.36 million tons of coke per annum, at a capital cost of Rs. 3.5 crores.

Shri Eswara Reddy: May I know the foreign exchange component involved in this estimated amount?

Shri Thimmaiah: About Rs. 125 lakhs.

Shri Eswara Reddy: May I know whether there is any time-schedule fixed for starting this project?

Shri Thimmaiah: It will be by about 1964.

Shri Sham Lal Saraf: May I know by what time it is expected that this plant will come into operation. Secondly, may I know whether the production from this plant will be used for meeting the needs of that part of the country only or it will be sent elsewhere also?

Shri K. D. Malaviya: It will be too premature for us to commit ourselves just now with regard to our plans of consumption.

Deep Shaft Coal Mine at Sudamdih

*695. **Shri R. Barua:**
Shri P. R. Chakraverti:
Shri Subodh Hansda:
Shri P. C. Borooah:
Shri Indrajit Gupta:

Will the Minister of **Mines and Feul** be pleased to refer to the reply given to Starred Question No. 320 on the 1st May, 1962, and state:

(a) the extent to which Polish collaboration has helped in establishing Deep-shaft coal mine at Sudamdih Dhanbad;

(b) whether Polish collaboration has been extended to coal preparing processes as construction of washeries and production of mining machineries; and

(c) whether there has been any agreement for opening of a second Deep-shaft mine?

The Parliamentary Secretary to the Minister of Mines and Fuel (Shri Thimmaiah): (a) Sinking of two shafts at Sudamdih with Polish Technical Collaboration is in progress according to schedule. These shafts are to be completed by the end of 1964.

(b) Polish collaboration has been obtained for the manufacture of coal washery components and mining machinery indigenously. A washery is also being put up by them.

(c) An agreement has been entered into in December 1962 for the supply of shaft sinking equipment for a second deep shaft located in Central Jharia area.

Shri R. Barua: May I know whether the Polish collaborators will buy goods from India or they will have to be paid in foreign exchange?

The Minister of Mines and Feul (Shri K. D. Malaviya): They will have the right to purchase Indian goods. For that a detailed agreement has been entered into between the Finance Ministry of the Government of India and the Polish Government.

Shri R. Barua: May we have a list of such goods?

Shri K. D. Malaviya: I do not have the list with me now.

Shri Indrajit Gupta: Is it a fact that this collaboration with Poland provides for the setting up of ten washeries and nine deep shaft mines by 1970?

Shri K. D. Malaviya: Yes, Sir. Only yesterday an agreement has been signed between the Polish Government and ourselves to extend the scheme of collaboration for development of coal industry. Because deep mining is their special job, they have agreed to have about ten such coal mines by 1970-71.

Shri P. C. Borooah: May I know when the second deep shaft mine is going to be set up, at what cost and at what assistance we are going to get from the Polish Government?

Shri K. D. Malaviya: I have not got full information about the second deep shaft mine at Jharia. He may give notice if he wants details.

पेट्रोलियम संस्था, देहरादून

***६९६. श्री भक्त दर्शन :**

क्या वैज्ञानिक अनुसन्धान और सांस्कृतिक-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि कुछ समय पहले देहरादून में एक पेट्रोलियम संस्था स्थापित करने का निर्णय किया गया था ;

(ख) यदि हां, तो क्या उस के उद्देश्य, कार्य-प्रणाली और वित्तीय पहलुओं को दिखाने वाला एक विवरण सभा पटल पर रखा जायेगा ; और

(ग) संस्था की स्थापना में अब तक क्या प्रगति हुई है ?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) Yes, Sir.

(b) The object of the Institute is to help in the development of petroleum and petrochemical industries by undertaking research in (i) Refining and Petrochemistry, and (ii) petroleum products application and collecting information and training personnel. The estimated expenses are Rs. 183·30 lakhs Non-recurring and Recurring 24:00 lakhs when the Institute is fully staffed.

(c) The Institute is working in temporary laboratories located at the Central Road Research Institute, but the Technological Block of the Institute at Dehra Dun is almost complete and work on the main building has started. A Deputy Director-in-Charge has been appointed and it is hoped that the Institute will be in full working status by July, 1965.

वैज्ञानिक अनुसंधान और सांस्कृतिक कार्य मंत्री (श्री हुमायून् कबिर): (क) जी हां ।

(ख) इंस्टीट्यूट का उद्देश्य निम्नलिखित विषयों में रिसर्च कर के पेट्रोलियम और

पेट्रोकेमिकल उद्योगों के विकास में मदद करना है । (i) परिष्करण और पेट्रोकेमिस्ट्री (ii) पेट्रोलियम प्रोडक्ट्स एप्लिकेशन और जानकारी तथा प्रशिक्षार्थियों को इकट्ठा करना । अनुमानित खर्चे १८३.३० लाख रुपये अनावर्ती और इंस्टीट्यूट में पूरा स्टाफ नियुक्त हो जाने पर २४ लाख रुपये आवर्ती हैं ।

(ग) यह इंस्टीट्यूट केन्द्रीय सड़क अनुसंधान इंस्टीट्यूट में स्थित अस्थायी प्रयोगशालाओं में चल रहा है, लेकिन देहरादून में इंस्टीट्यूट का टेक्नोलाजिकल ब्लाक करीब करीब पूरा हो गया है और मुख्य भवन पर क़ाम शुरू हो चुका है । एक कार्यभारी उपनिदेशक नियुक्त किया जा चुका है और आशा की जाती है कि जुलाई १९६५ तक इंस्टीट्यूट पूरी तरह काम करने की हालत में आ जाएगा ।

श्री भक्त दर्शन : श्रीमन्, मैं यह जानना चाहता हूं कि इस इंस्टीट्यूट की स्थापना में और इस का कार्य प्रारम्भ करने में इतनी देरी क्यों हुई है ।

श्री हुमायून कबिर : देरी का कोई सवाल नहीं है । १९५९ में यह डिसिजन हुआ था कि यह इंस्टीट्यूट मुकर्रर किया जाये । १९६०-६१ में काम शुरू हुआ और १९६१ से सेंट्रल रोड रिसर्च इंस्टीट्यूट में लेबोरेटरी में थोड़ा थोड़ा काम शुरू हो गया ।

श्री भक्त दर्शन : क्या यह सत्य है कि इस इंस्टीट्यूशन को स्थापित करने के लिए १.३० लाख रुपये की योजना तैयार की गई थी, लेकिन प्लानिंग कमीशन ने उस को काट कर करीब १ करोड़ रुपया कर दिया है ? अतः मैं यह जानना चाहता हूं कि यह कमी क्यों की गई और क्या इस वजह से इस काम को आघात नहीं पहुंचेगा ।

श्री हुमायून कबिर : मैंने पहले भी इस हाउस में बताया है कि रिसर्च के लिए जो रुपया दरकार होगा, उस का इन्तजाम किया जायगा ।

Shri D. C. Sharma: May I know if any attempt is being made to introduce the subject in the universities of India?

Shri Humayun Kabir: Chemical engineering and various types of allied subjects are being taught in the different technological institutions. It is for the universities to consider whether they will have any special course on petroleum technology itself.

Loans for Private Sector Coal Industry

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*697. **Shri P. C. Borooah:**
Shri Rameshwar Tantia:
Shri Onkarlal Berwa:
Shri Sarjoo Pandey:

Will the Minister of **Mines and Fuel** be pleased to state:

(a) whether it is a fact that a scheme for partial guarantee on loans to private sector coal industry by credit institutions, has been recently sanctioned by Government; and

(b) if so, the broad features thereof?

The Parliamentary Secretary to the Minister of Mines and Fuel (Shri Thimmaiah): (a) Yes.

(b) The salient features of the scheme are as follows:—

(1) The Refinance Corporation for Industry Limited has been entrusted with the administration of this scheme as an agent of the Government of India.

(2) The scheme is applicable in respect of advances which banks may give to colliery undertakings which are importing machinery against the foreign exchange loan granted by the World Bank.

(3) In the event of default in repayment of any loan, the loss will be shared between the guarantee organisation, i.e. the Refinance Corporation and the bank concerned in the ratio of 65:35.

Shri P. C. Borooah: What were the circumstances which necessitated the offering of this assistance or guarantee of the loan to the private sector?

The Minister of Mines and Fuel (Shri K. D. Malaviya): The whole question was considered in its broadest aspects and it was considered that the profitability of the coal industry was not as satisfactory as would permit it to get loans from the normal sources. In the meantime the foreign exchange availability had been arranged for in order to expand the coal production programme. The coal industry expressed its inability to find the rupee finance to match the scheme. So, after a lot of consideration the Government of India, that is, the Finance Ministry and other ministries concerned, came to the conclusion that we should guarantee a part of the loans in a particular way as specified in the answer to the question. I think, those colliery-owners who have taken advantage of loans from foreign sources will be able to utilise this help that the Government of India have offered them.

Mr. Speaker: The Question Hour is over.

Shri D. C. Sharma: Sir, I request that Question No. 698 may be taken up.

Shri M. L. Dwivedi: It is a very important question. It is in connection with the death of a New Delhi journalist.

Mr. Speaker: If the hon. Minister thinks that it is very important and that he would like to answer it, he may.

The Minister of State in the Ministry of Home Affairs (Shri Hajarnavis): Sir, I will read out the main answer. Further supplementaries may not be asked in view of the fact that investigation is still proceeding.

Mr. Speaker: The hon. Minister says that he can read out the answer but that he would not answer supplementaries. But if the question is answered and the hon. Member wants to ask supplementaries and if those supplementaries are relevant, how shall I refuse them? When the Question Hour is over, it is only at the request of the hon. Minister, that is, if he thinks that some question is important and he wants to answer it, that I can call upon him to answer.

Shri Hem Barua: We thought that we will use it as a precedent.

Mr. Speaker: That is my difficulty. The hon. Minister says, "No". Then, I am sorry.

WRITTEN ANSWERS TO QUESTIONS

Coking Coal

***690. Shri G. Basu:** Will the Minister of **Mines and Fuel** be pleased to state:

(a) the estimated reserves of coking coal at present; and

(b) whether the estimated reserves of coking coal are considered adequate to meet the current requirements and the requirements when full target capacity of the three plants in the Public Sector and two steel plants in the Private Sector is reached?

The Minister of Mines and Fuel (Shri K. D. Malaviya): (a) The estimated reserves of coking coal are of the order of 2500 million tons, based on assessment made in 1950. A fresh estimate is under preparation.

(b) Yes.

Death of a New Delhi Journalist

*698. **Shri D. C. Sharma:**
Shri D. D. Mantri:
Shrimati Savitri Nigam:
Shri Maheswar Naik:
Shri Kachhavaiya:
Shri Onkarlal Berwa:
Shri Bade:

Will the Minister of **Home Affairs** be pleased to state:

(a) whether a New Delhi Journalist residing in Pandara Road was found strangled in his bed on the 18th March, 1963;

(b) whether any enquiry has been made into the cause of his death; and

(c) if so, the findings thereof?

The Minister of Home Affairs (Shri Lal Bahadur Shastri): (a) Yes.

(b) and (c). Three persons have been arrested. Some property belonging to the deceased is alleged to have been recovered from them and their relatives. The case is under investigation.

शारीरिक शिक्षा, मनोरंजन और युवक कल्याण सम्बन्धी समिति

***६९९. श्री भक्त दर्शन :** क्या शिक्षा मंत्री २१ नवम्बर, १९६२ के तारांकित प्रश्न संख्या २९४ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) शारीरिक शिक्षा मनोरंजन और युवक कल्याण को विभिन्न योजनाओं में सामंजस्य स्थापित करने के उद्देश्य से डा० हृदय नाथ कुंजरू की अध्यक्षता में नियुक्त की गई समिति ने अपने कार्य में अब तक क्या प्रगति की है ; और

(ख) उक्त समिति देर से देर कब तक अपना प्रतिवेदन दे देगी ?

शिक्षा मंत्री (डा० का० ला० श्रीमाली) : (क) समिति की १३ बैठकें हुई और इसने बहुत से व्यक्तियों से भेंट की। ३० मार्च १९६३ को हुई अपनी बैठक में समिति ने रिपोर्ट के मसौदे पर विचार किया और यह निश्चय किया कि मसौदे पर आगे विचार करने के लिए समिति की बैठक फिर से जल्दी ही बुलाई जाय ।

(ख) अध्यक्ष से अनुरोध किया गया है कि वे समिति की रिपोर्ट यथाशीघ्र प्रस्तुत कर दें । आशा है समिति लगभग दो महीने में अपनी रिपोर्ट को पूरा कर देगी ।

Socio-Economic Development of People of Border Areas

*700. **Shri P. C. Borooah:** Will the Minister of **Education** be pleased to state:

(a) whether it is a fact that Central Social Welfare Board has launched a scheme for the Socio-Economic Development of the people in border areas including N.E.F.A. in collaboration with the Central Citizens' Council;

(b) if so, the broad outlines of the scheme; and

(c) the action so far taken in this matter?

The Minister of Education (Dr. K. L. Shrimali): (a) Yes, Sir.

(b) and (c). Under its Socio-economic programme, the Central Social Welfare Board gives financial assistance to voluntary organisations for setting up production units of small scale industries with a view to providing training and employment opportunities to needy women and the handicapped persons. The assistance may be given in the form of grants or grants and loans.

2. As a first step, the Board propose to study the needs of the border areas and then select suitable sites for location of the production units, as well as decide what articles are to be produced in these units.

कलकत्ता का आनुवंशिकी तथा जीवांकिकी अनुसन्धान एकक

१३६४. श्री सिद्धेश्वर प्रसाद : क्या **वैज्ञानिक अनुसन्धान और सांस्कृतिक-कार्य मंत्री** यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि प्रो० हाल्डेन ने कलकत्ता की आनुवंशिकी (जैनेटिक्स) तथा जीवांकिकी (बायोमीट्री) अनुसंधान यूनिट से त्याग पत्र दे दिया; और

(ख) यदि हां, तो इस का क्या कारण है ?

वैज्ञानिक अनुसन्धान और सांस्कृतिक कार्य मंत्री (श्री हुमायून् कबिर) : (क) और (ख). जी हां । ३१ जुलाई १९६२ से । आदरणीय सदस्य का ध्यान उस विवरण की ओर दिलाया जाता है जो मैं ने १८ जून १९६२ को सदन में दिया था ।

बहु-उद्देश्यीय विद्यालय

१३६५. श्री सिद्धेश्वर प्रसाद : क्या **शिक्षा मंत्री** २७ फरवरी, १९६३ के तारांकित प्रश्न संख्या १४९ के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) चुने हुए २२ बहुउद्देशीय विद्यालयों की राज्य-वार संख्या क्या है ;

(ख) क्या इन विद्यालयों की प्रगति का अध्ययन किया गया है ; और

(ग) यदि ये विद्यालय सफल रहे हैं, तो क्या इनकी संख्या बढ़ाने का विचार है ?

शिक्षा मंत्री (डा० का० ला० श्रीमाली) : (क) से (ग). प्रत्येक राज्य को एक एक और उत्तर प्रदेश को दो के हिसाब से २२ स्कूलों में से १६ स्कूलों का नियतन कर दिया गया है । संघीय क्षेत्रों में चुने जाने वाले स्कूलों की संख्या निम्नांकित है :—

दिल्ली	२
हिमाचल प्रदेश	१
मणिपुर	१
त्रिपुरा	१
पाण्डिचेरी	१
जोड़	६

स्कूलों को चुनने का कार्य अभी तक पूरा नहीं हुआ है । यह योजना १९६३–६४ से आरम्भ होगी । इसलिए इसकी प्रगति और योजना की सफलता अथवा असफलता के बारे में अभी कुछ कहना संभव नहीं है ।

उपर्युक्त तथ्यों को देखते हुए भाग (ग) के उत्तर का प्रश्न नहीं उठता ।

Ancient Remains in Orissa

1366. Shri Ramchandra Mallick: Will the Minister of **Scientific Research and Cultural Affairs** be pleased to state:

(a) the amount sanctioned for the development and repair of monuments and ancient remains in the State of Orissa, which have been taken over by the Archaeological Department of Central Government during 1962-63; and

(b) the amount proposed to be spent during 1963-64?

The Deputy Minister in the Ministry of Scientific Research and Cultural Affairs (Dr. M. M. Das): (a) Rs. 74,136.

(b) Rs. 79,626.

Lalitigiri in Cuttack District

1367. Shri Ramchandra Mallick: Will the Minister of **Scientific Research and Cultural Affairs** be pleased to state:

(a) the amount spent so far at Lalitigiri in District of Cuttack

(Orissa) which has been taken over by the Archaeological Department of the Central Government; and

(b) the amount proposed to be spent for the development of Lalitigiri during 1963-64?

The Deputy Minister in the Ministry of Scientific Research and Cultural Affairs (Dr. M. M. Das): (a) Rs. 1,151 in 1962-63

(b) 1,110.

काशी नागरी प्रचारिणी सभा

१३६८. श्री रणंजय सिंह : क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) काशी नागरी प्रचारिणी सभा, वाराणसी को आकर ग्रन्थमाला के अन्तर्गत हस्तलिखित पुस्तकों के प्रकाशन के लिए कितनी राशि का अनुदान (कब-कब) दिया गया है ;

(ख) क्या १९६२–६३ के वित्तीय वर्ष में काशी नागरी प्रचारिणी सभा को हस्तलिखित पुस्तकों के प्रकाशनार्थ कोई अनुदान दिया गया है ;

(ग) यदि हां, तो कितना ; और

(घ) क्या १९६३-६४ के वित्तीय वर्ष में काशी नागरी प्रचारिणी सभा को हस्तलिखित पुस्तकों के प्रकाशनार्थ कोई अनुदान दिया जाना है ?

शिक्षा मंत्री (डा० का० ला० श्रीमाली):

(क)	रु०	दिनांक
	५,०००	११–५–१९५४
	५,०००	३०–९–१९५५
	५,०००	२७–१२–१९५६
	५,०००	२२–१–१९५८
	५,०००	१२–५–१९५९

(ख) जी नहीं।

(ग) प्रश्न नहीं उठता।

घ) विषय विचाराधीन है।

New University in Delhi

1369. Shri E. Madhusudan Rao: Will the Minister of **Education** be pleased to refer to the reply given to Unstarred Question No. 379 on the 14th November, 1962 and state the further development in regard to setting up of a new University in Delhi?

The Minister of Education (Dr. K. L. Shrimali): The University Grants Commission has suggested that the Committee appointed by the University of Delhi in this regard should continue its deliberations to a concluson so that all the preliminary examination will have been completed before it is ultimately decided to have a second university in Delhi.

Gold Mines in Andhra Pradesh

1370. Shri E. Madhusudan Rao: Will the Minister of **Mines and Fuel** be pleased to refer to the reply given to Unstarred Question No. 187 on the 10th November, 1962 regarding Gold Mines in Andhra Pradesh and state:

(a) whether the Indian Bureau of Mines has since given their comments about the exploration work in Ramagiri gold fields; and

(b) if so, the details thereof?

The Minister of Mines and Fuel (Shri K. D. Malaviya): (a) The Indian Bureau of Mines is still conducting detailed exploratory operations for gold.

(b) Does not arise.

Fixation of Salary of I.C.S. Officers

1371. Shri E. Madhusudan Rao: Will the Minister of **Home Affairs** be pleased to refer to the reply given to Unstarred Question No. 180 on the 10th November, 1962 and state:

(a) whether any decision has since been taken in regard to fixation of salary of the I.C.S. officers in the posts created after 14th August, 1947; and

(b) if so, the details thereof?

The Minister of Home Affairs (Shri Lal Bahadur Shastri): (a) and (b). The matter is still under consideration.

Aid to Publishers in Orissa

1372. Shri Ulaka: Wil the Minister **of Educaton** be pleased to state:

(a) whether ny financial assistance was given by the Union Government to the publishers, printers and book sellers of Orissa in the field of social education literature and literature for neo-literates during 1961-62 and 1962-63; and

(b) if so, the details thereof?

The Minister of Education (Dr. K. L. Shrimali): (a) Yes, Sir, during 1962-63.

(b) Under the scheme of prize competition for books|manuscripts for neo-literates, 1500 copies of the prize-winning book 'Pragati Pathe Bharata' in Oriya were purchased and a sum of Rs. 1200 was paid to the author-publisher.

Hard and Soft Coke in Orissa

1373. Shri Ulaka: Will the Minister **of Mines and Fuel** be pleased to state:

(a) the total requirement of hard and soft coke in Orissa during 1962-63;

(b) the quantity of hard and soft coke actually supplied to Orissa during 1962-63;

(c) whether Government of Orissa have made any representation to supply their full requirement; and

d)(if so, the action taken in the matter?

The Minister of Mines and Feul (Shri K. D. Malaviya): (a) and (b). The quotas of hard coke and soft coke, and their actual despatches during 1962-63 to Orissa were as under:—

(figures in wagons)

	Regular quota	Ad hoc allocations	Total	Despatches
Soft coke .	840	89	929	821
Hard coke .	168	181	349	311

(c) and (d). The Orissa Government's own estimate of requirements of hard coke was 100 wagons per month, and the same quantity for soft coke. But, as in the case of other States, against the demands made by the State Governments, quotas were fixed commensurate with the transport capacity and the availability of hard coke and soft coke. However, in the case of Orissa, as would be seen from the figures quoted above *ad hoc* allocations of both hard coke and soft coke were made, and the actual movement in the case of hard coke was much in excess of the regular quota.

Polytechnics in Orissa

1374. Shri Ulaka: Will the Minister of **Scientific Research and Cultural Affairs** be pleased to state:

(a) the number of polytechnics proposed to be opened in Orissa during the Third Five Year Plan period; and

(b) the amount allocated for the said purpose during the Third Plan period?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) Two polytechnics are already included in the State Plan and the State Government has just proposed an additional polytechnic.

(b) Rupees Fifty Lakhs.

Teachers of Affiliated Colleges in Orissa

1375. Shri Ulaka: Will the Minister of **Education** be pleased to state:

(a) whether the affiliated colleges and high schools of the Utkal University (Orissa) have been given financial assistance by the University Grants Commission for improvement of pay-scales of teachers during 1962-63; and

(b) if so, the details thereof?

The Minister of Education (Dr. K. L. Shrimali): (a) During 1962-63, the University Grants Commission has given financial assistance for improvement of pay scales of teachers to two private colleges affiliated to the Utkal University. The Commission is not concerned with high school teachers.

(b) The details are as follows: —

Name of the College	Amount paid
1. Bhadrak College, Bhadrak. (Arrears for the years 1957-62)	Rs. 13,699.65
2. Khallikote College, Behrampur. (Arrears for the year 1961-62)	Rs. 16,900.00

Grants for Oriya Drama

1376. Shri Ulaka: Will the Minister of **Scientific Research and Cultural Affairs** be pleased to state:

(a) whether the Sangeet Natak Academy has given any financial assistance to Orissa for promotion of Oriya dramas during 1962-63; and

(b) if so, the details thereof?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) and (b). During 1962-63, the Sangeet Natak Accademy sanctioned the following grants:

Name of institution	Amount	Purpose of Grant
1. Utkal Sangit Samaj, Cuttack.	Rs. 4,400/-	For production of a dance-drama "Sri Krishna Balya Leela" in Odissi style.
2. Orissa Sangit parished, puri.	Rs. 1,000'-	Towards Children's Drama Festival.

In addition, this Ministry under their scheme of 'assistance to theatres for the production of new plays' sanctioned the following grants during 1962-63:

1. Janta Ranga Mancha, Cuttack	Rs. 7,500/-	For the production of new play 'Adivasi' in Oriya.
2. Annapurna Theatre Group 'A', Puri.	Rs. 7,500/-	For the production of a new play 'Singha Dwara' in Oriya.

Alleged Arrest of Pakistanis in West Bengal

1377. Shri Subodh Hansda: Will the Minister of **Home Affairs** be pleased to state:

(a) whether it is a fact that a number of Pakistani people have been arrested in West Bengal since December, 1962 in the Districts of Nadia and Murshidabad;

(b) if so, the number of such people;

(c) whether it is a fact that all of them did not possess any Pakistani visas or passports; and

(d) whether Government have found reasons why they had crossed the border and passed into these districts?

The Minister of State in the Ministry of Home Affairs (Shri Hajarnavis): (a) to (d). During the period from December, 1962, till February, 1963, 764 Pakistani nationals were detected to have entered the districts of Nadia and Murshidabad illegally. They came for the avowed purpose of seeing their relations or to earn their livelihood.

जनगणना

१३७८. { श्री प्रकाशवीर शास्त्री :
श्री जगदेव सिंह सिद्धांती

क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या १९६१ की जनगणना के कुछ और आंकड़े प्राप्त हो गये हैं ;

(ख) यदि हां, तो भारत में धर्म-वार जनसंख्या कितनी कितनी है ;

(ग). क्या भाषा सम्बन्धी आंकड़े भी प्राप्त हो गये हैं , यदि हां, तो विभिन्न भाषाओं को जानने वालों की जनसंख्या अलग-अलग कितनी-कितनी है ; और

(घ) पंजाब में हिन्दी और पंजाबी भाषा-भाषियों की पृथक-पृथक संख्या कितनी-कितनी है ?

गृह-कार्य मंत्रालय में उपमंत्री (श्रीमती चन्द्रशेखर) : (क) जी हां ।

(ख) सन् १९६१ की जनगणना के अनुसार मुख्य धर्मों की जन संख्या के आंकड़ों का विवरण पत्र सभा पटल पर रखा गया है । [पुस्तकालय में रखा गया, देखिए संख्या एल टी—१०५४/६३]। यह आंकड़े अस्थाई हैं ।

(ग) और (घ). जहां तक भाषाओं का सम्बन्ध है, सारणियों का कार्य अभी पूरा नहीं हुआ है, और इसलिये अभी फिलहाल आंकड़े देना संभव नहीं है ।

Phosphate Rocks in Bihar

1379. **Shri P. R. Chakraverti:** Will the Minister of **Mines and Fuel** be pleased to state:

(a) whether the State Government of Bihar have sought the permission of the Central Government to undertake the work of extracting phosphate materials from the rocks in the State, so that the products of discovery can be utilised for the super-phosphate factories; and

(b) whether the State-owned super-phosphate factory at Sindri will have its supply from the phosphate project to be undertaken by the State Government?

The Minister of Mines and Fuel (Shri K. D. Malaviya): (a) No, Sir. It is understood that the State Government are awaiting results of the mineral investigations now being made, before formulating specific mining projects.

(b) Does not arise.

Coal for Pathratu Thermal Plant (Bihar)

1380. **Shri P. R. Chakraverti:** Will the Minister of **Mines and Fuel** be pleased to state:

(a) whether it is proposed to meet the requirements of the thermal plant at Pathratu (Hazaribagh) from the coal produced by State-managed mines; and

(b) if so, the details thereof?

The Minister of Mines and Fuel (Shri K. D. Malaviya): (a) Yes.

(b) Initially, coal for this thermal plant will be supplied from Bhurkunda colliery of the National Coal Development Corporation. But subsequently, as the washeries at Gidi, Kathara and Ramgarh come up, the thermal plant will get middlings from these washeries of the National Coal Development Corporation. The boilers of the thermal plant are being designed accordingly.

Glass Sand Deposits in Banda District

1381. **Shrimati Savitri Nigam:** Will the Minister of **Mines and Fuel** be pleased to state:

(a) whether it is a fact that recently large deposits of 'Jeepizior' Glass Sand have been found in Banda District; and

(b) if so, whether Government propose to start some glass industry in the Public Sector in this area?

The Minister of Mines and Fuel (Shri K. D. Malaviya): (a) It is presumed that hon. Member is referring to glass sand deposits. If so, the reply is in the affirmative.

(b) Government have no such proposal.

गरीबों के लिये आये सामान की दिल्ली में बरामदगी

१३८२. { श्री प्रकाशवीर शास्त्री :
श्री जगदेव सिंह सिद्धांती :
श्री मरांडी :

क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या विदेशों से दिल्ली में गरीबों को मुफ्त बांटने के लिये गत दो वर्षों में आया कुछ सामान पुलिस ने बरामद किया है ;

(ख) यदि हां, तो यह सामान किस तरह का था और कितनी मात्रा में पकड़ा गया ; और

(ग) क्या व्यक्तियों के अतिरिक्त कुछ संगठन भी ऐसा सामान रखने के दोषी पाये गये हैं और यदि हां, तो उन्हें क्या दण्ड दिया गया है ?

गृह-कार्य मंत्रालय में राज्य मंत्री (श्री हजरनवीस) : (क) जी हां ।

(ख) १–३–६१ से २८–२–६३ तक के दौरान में ग़रीब और स्कूल के बच्चों में मुफ्त बांटने के लिए विदेशों से प्राप्त ४०४८ पौंड दूध का पाउडर पुलिस ने बरामद किया ।

(ग) जी हां । ऐसी रिपोर्ट मिली है कि एक बनावटी संस्था इससे सम्बन्धित है । मामले की जांच की जा रही है ।

गणतंत्र दिवस समारोह

१३८३. { श्री भक्त दर्शन :
श्री भागवत झा आजाद :

क्या वैज्ञानिक अनुसन्धान और सांस्कृतिक कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) गणतन्त्र दिवस समारोह के सिलसिले में २७ जनवरी, १९६३ को नयी दिल्ली के नेशनल स्टेडियम में फिल्मी संगीत का जो कार्यक्रम आयोजित किया गया था उसमें किन किन कलाकारों ने भाग लिया ;

(ख) उस कार्यक्रम से राष्ट्रीय रक्षा कोष के लिये कितने धन की प्राप्ति हुई ; और

(ग) उस कार्यक्रम को आयोजत करने पर कितना धन व्यय हुआ ?

वैज्ञानिक अनुसन्धान और सांस्कृतिक कार्य मंत्री (श्री हुमायून् कबिर) : (क) एक सूची सभा पटल पर रखी गई है । [पुस्तकालय में रखा गया । देखिए संख्या एल० टी० –१०५५।६३] ।

(ख) २,२०,००० रुपयों से ज्यादा ।

(ग) करीब ५४,००० रुपये ।

अपाहिजों की शिक्षा

१३८४. **श्रीमती सावित्री निगम** : क्या शिक्षा मंत्री २१ नवम्बर, १९६२ के तारांकित प्रश्न संख्या ३०४ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) केन्द्रीय सरकार की योजना के अन्तर्गत अपाहिजों में शिक्षा प्रसार की कितनी योजनायें अभी तक प्रारम्भ की जा चुकी हैं ; और

(ख) अपाहिजों के लिए काम कर रही स्वयं सेवी संस्थाओं को सन १९६०–६१ और १९६२–६३ में कितनी-कितनी आर्थिक सहायता दी गयी ?

शिक्षा मंत्री (डा० का० ला० श्रीमाली) :
(क) ८

(ख) १९६०-६१ ७,७५,९५०.०० रु०
१९६२-६३ ७,३१,७११.०० ०

Cinema Ticket Rackets in Delhi

1385. Shrimati Savitri Nigam: Will the Minister of **Home Affairs** be pleased to refer to the reply given to Unstarred Question No. 2610 on the 5th June, 1962 and state:

(a) whether there were any cases concerning Cinema Ticket rackets in the last three months; and

(b) whether any special measures have been taken to stop this evil practice?

The Minister of State in the Ministry of Home Affairs (Shri Hajarnavis): (a) Between 1st December 1962 and 28th February 1963, 29 cases of black-marketing in cinema tickets were detected by the Delhi Police.

(b) A Plain Clothes Squad has been set up to tackle the problem. History sheets of black-marketeers of cinema tickes have been prepared by the Delhi Police for survillance purpose. The cooperation of the cinema managements is being sought to control the evil.

Public Sector Oil Refineries

1386. Shri Subodh Hansda: Will the Minister of **Mines and Fuel** be pleased to state:

(a) the number of foreign oil technicians at present working in the Government oil refineries;

(b) the number of foreign technicians who came at the initial stage;

(c) how many Indians have obtained training to man all the public sector oil refineries; and

(d) when all foreign technicians are likely to be replaced by Indians?

The Minister of Mines and Fuel (Shri K. D. Malaviya): (a) There are 6 foreign technicians at Gauhati refinery and 87 at Barauni refinery.

(b) 48 technicians were deputed initially for construction work at Gauhati; and 48 more were deputed from time to time for operational and maintenance work. So far 87 have been deputed to Barauni and some more will come as the construction work progresses.

(c) 53 Indians were trained in Rumania for the Gauhati refinery and 88 in U.S.S.R. for the Barauni refinery.

(d) Of the six foreign technicians still at Gauhati, three will be replaced by Indian by mid-1963, and the rest may remain for some more time. The programme for replacement of foreign technicians at Barauni has not yet been finalised.

जनगणना कार्यालयों में छंटनी

१३८७. **श्री ओंकारलाल बेरवा :**
श्री कछवाय :
श्री बड़े :

क्या गृह-कार्य मंत्री यह बतानें की कृपा करेंगे कि :

(क) क्या प्रदेशों में कार्य करने वाले विभिन्न जनगणना कार्यालयों को इस आशय का कोई आदेश भेजा गया था कि छंटनी करते समय कर्मचारियों की वरिष्ठता का ध्यान रखा जाये ;

(ख) यदि हां, तो क्या यह सच है कि उत्तर प्रदेश के लखनऊ स्थित कार्यालय में छंटनी के लिये किसी परीक्षा का आयोजन किया गया है ; और

(ग) इस सम्बन्ध में सरकार की क्या प्रतिक्रिया है ?

गृह-कार्य मंत्रालय में उपमंत्री (श्रीमती चन्द्रशेखर) : (क) जनगणना के सारे अधीक्षकों को आवश्यक आदेश भेजे जा रहे हैं ।

(ख) और (ग). उस अस्थायी स्टाफ में से, जिसकी सेवा-अवधि २८–२–१९६३ को समाप्त हो रही थी, १–३–१९६३ से शुरू होने वाले वर्ष के लिये सर्वोत्तम तकनीकी व्यक्ति चुनने केहेतु फरवरी के अन्तिम सप्ताह मे एक प्रतियोगी परीक्षा ली गई थी ।

केन्द्रीय मद्यनिषेध समिति

१३८८. श्री भक्त दर्शन: क्या गृह-यं मंत्री २१ नवम्बर, १९६२ के अतारांकित प्रश्न संख्या ६६६ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) केन्द्रीय मद्य निषेध समिति ने जो सिफारिशें की थीं, उन में से प्रत्येक को क्रियान्वित करने में अब तक क्या प्रगति हुई है ; और

(ख) उस समिति की ४ व ५ सितम्बर, १९६१ को जो बैठक हुई थी, उसके बाद कब-कब बैठकें की गईं और उनमें क्या क्या निश्चय किये गये ?

गृह-कार्य मंत्रालय में राज्य मंत्री (श्री हजरनवीस) : (क) जैसा कि अतारांकित प्रश्न संख्या ६६६ त्तर में कहा गया था, IV, VI, VII, IX, X तथा XI नम्बर की सिफारिशों को लाग कर दिया गया है । I,II,III तथा VIII नम्बर की सिफा रिशों ; से सिफारिश नं०, VIII को केन्द्रीयि सरकारी कर्मचारियों तथा अखिल भारतीय सेवाओं के अधिकारियों भी पर लागू कर दिया गया है । इसके अनुसार कुछ अवस्थाओं में मद्यपान करना दुराचरण समझा जाता है । सिफ़ारिश नं० I,II,III के अनुसार क्रमबद्ध कार्यक्रम तथा निषिद्ध क्षे की सीमा के साथ-साथ पड़ोसी राज्यों के कुछ इलाके में निषेध लागू कराने के बारे में इस वर्ष जनवरी में राज्यों के मुख्य मंत्रियों की अनौपचारिक बैठक में (निषेध नीति पर) चर्चा ई थी । सर्वसम्मति से यह निर्णय हुआ कि मौजूदा मद्य निषेध नीति में न कोई परिवर्तन किया जाय, और न कोई ढिलाई आनें देनी चाहिये । केन्द्रीय निषेध समिति अपनी आगामी बैठक में स्थिति की फिर से जांच करेगी, और तब सिफ़ारिश नं० V पर भी विचार किया जायगा ।

(ख) ४ और ५ सितम्बर, १९६१ को बैठक के पश्चात केन्द्रीय निषेध समिति की और कोई बैठक नहीं हुई है ।

Coal Controller

1389. Shri G. Basu: Will the Minister of **Mines and Fuel** be pleased to state:

(a) the number of changes effected in the person occupying the post of Coal Controller since 1956; and

(b) whether the frequent changes in this office have affected the work of this office?

The Minister of Mines and Fuel (Shri K. D. Malaviya): (a) Four.

(b) No, Sir.

Books Awarded Academic Awards

1390. Shri Rishang Keishing: Will the Minister of **Scientific Research and Cultural Affairs** be pleased to state:

(a) the number of books awarded Sahitya Academy Award ever since its inception;

(b) whether such books have been translated and published in languages other than Indian languages; and

(c) if so, the names of such foreign languages?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) 76.

(b) and (c). The Akademi's translation programme does not include translation of books from Indian languages into foreign languages. However, on the recommendation of the Akademi, 'Chemeen' a Novel in Malayalam by Shri Thakazhi Sivashankar

Pillai which won the Akademi Award in 1957 has been translated and published by Unesco in English, Czech and Russian, and translations in German, French, Spanish and Danish are expected to be published soon.

'The Guide' a Novel in English by Shri R. K. Narayan, which won the Akademi Award in 1960, is understood to have been translated and published in many foreign languages.

Training Institute of National Mineral Development Corporation

1391. **Shri Elayaperumal:** Will the Minister of **Mines and Fuel** be pleased to state:

(a) the number of Scheduled Caste students who were admitted to the training institute of the National Mineral Development Corporation during 1960-61 and 1962-63; and

(b) If no students belonging to Scheduled Castes were admitted, the reasons therefor?

The Minister of Mines and Fuel (Shri K. D. Malaviya): (a) The Training Institute of the National Mineral Development Corporation Limited, at its Kiriburu Iron Ore Project, started functioning from 1961-62. Of the 20 trainees admitted in that year, one belonged to Scheduled Castes and three to Scheduled Tribes.

In 1962-63 59 trainees were taken in for on-the-job training, of whom two belonged to Scheduled Castes.

(b) Does not arise.

उत्तर प्रदेश में तेल के लिये छिद्रण

१३९२. **श्री सरजू पांडे** : क्या **खान और ईंधन मंत्री** यह बतान की कृपा करेंगे कि :

(क) क्या यह सच है कि उत्तर प्रदेश में चन्दोसी और तिलहर में तेल निकलने की संभावना है ;

(ख) क्या खुदाई का काम शुरू हो गया है ; और

(ग) उत्तर प्रदेश के अन्य भागों में कहां-कहां इस सम्बन्ध में और खोज की गई है ?

खान और ईंधन मंत्री (श्री के० दे० मालवीय) : (क) इस स्थिति में इतना पहले बताना कठिन है कि तेल प्राप्त होगा या नहीं ।

(ख) अभी नहीं ।

(ग) गिरि-पाद क्षेत्र में भूगर्भीय मान चित्रण किया गया है । सम्पूर्ण उत्तर प्रदेश के मैदानों में विमान-चुम्बकीय सर्वेक्षण किया गया है ।

उन्नाव आदमगढ़, मेरठ, फतेहगढ़ और कानपुर जिलों में भू-आकर्षक और चुम्बकीय सर्वेक्षणा किया गया है । मुरादाबाद, बिजनौर, बरेली, रामपुर, शाजहांपुर, नैनीताल, सहारनपुर, बदाऊं, मथुरा, हाथरस, पिलीभीत, बस्ती, गोरखपुर, देवरिया, गाजीपुर, भऊं, लखनऊ, फैजाबाद, बाराबांकी, मुजफ्फर नगर, सीतापुर, इटावा और अलीगढ़ जिलों में दोनों भू-आकर्षक एवं चुम्बकीय सर्वेक्षणों और भू-कम्पीय सर्वेक्षणों के कार्य को दिया गया है ।

उझानी और काशगंज क्षेत्रों में संरचनात्मक व्यधन कार्य को हाथ में लिया गया है । और उझानी क्षेत्र में गहरे व्यधन कार्य को हाथ में लिया गया है ।

दिल्ली में अवैध शराब की बिक्री

१३९३. **श्री ओंकारलाल बेरवा** : क्या **गृह-कार्य** मंत्री यह बताने की कृपा करेंगे कि

(क) क्या यह सच है कि दिल्ली में अवैध शराब की बिक्री बढ़ गई है ;

(ख) यदि हां, तो १९६१, १९६२ और १९६३ में अब तक कितने स्थानों पर छापा मारा गया है ;

(ग) उसमें कितनी शराब पकड़ी गई ; और

(घ) कितने व्यक्तियों को सजायें व जुर्माने हुये ?

गृह-कार्य मंत्रालय में राज्य मंत्री (श्री हजरनवीस) : (क) जी नहीं । जांच तथा खोज के अधिक उत्तम तरीकों के कारण सन् १९६१ की अपेक्षा सन् १९६२ में अवैध शराब की बिक्री के अधिक मामले ध्यान में आये हैं, परन्तु इसका अर्थ यह नहीं है कि दिल्ली में अवैध शराब की बिक्री में अवश्य ही बढ़ोत्तरी हुई है ।

(ख) आबकारी अधिनियम (केवल अवैध शराब तथा लाहन) की धांरा ६१ के अधीन दर्ज किये गये मामलों की संख्या निम्नप्रकार है :——

१९६१	१३०८
१९६२	१४५२
१–१–६३ से २१–३–६३ तक	४३७

(ग) १६८२३२ बोतल अवैध शराब तथा ४६७०५.३४४ किलोग्राम लाहन पकड़ा गया ।

(घ) १३१०.

Vijnan Mandirs in Madhya Pradesh

1396. { **Shri R. S. Pandey:**
Shri Birendra Bahadur Singh:

Will the Minister of **Scientific Research and Cultural Affairs** be pleased to state:

(a) the number of Vijnan Mandirs so far opened in Madhya Pradesh; and

(b) how many more Vijnan Mandirs are proposed to be opened in the State during the remaining period of the Third Plan?

The Deputy Minister in the Ministry of Scientific Research and Cultural Affairs (Dr. M. M. Das): (a) Two.

(b) Further establishment of Vijnan Mandirs is at the initiative of State Government depending upon availability of funds, and provision of suitable buildings with necessary facilities by the State Government.

Surplus Staff

1397. { **Shri Maheswar Naik:**
Shri Sidheshwar Prasad:
Shri Ram Harkh Yadav:
Shri P. C. Borooah:

Will he Minister of **Home Affairs** be pleased to state:

(a) whether his Ministry has decided to release its surplus staff to other Ministries and Departments;

(b) if so, the number of such staff; and

(c) the economy affected therefrom?

The Minister of State in the Ministry of Home Affairs (Shri Hajarnavis): (a) Yes.

(b) and (c). A statement showing the surplus staff, both in relation to the sanctioned strength of the Ministry during 1962-63 and actual strength and consequential anticipated savings, is placed on the Table of House. [Placed in Library. *See* No. LT-1056/63.]

Government and Public Schools in Delhi

1398. **Shri Vishram Prasad:** Will the Minister of **Education** be pleased to tate:

(a) the total number of (i) Government Higher Secondary Schools in Delhi; and (ii) Public Schools aided by Government; and

(b) whether it is a fact that the curriculum and mode of instruction is different in both categories of schools mentioned above?

The Minister of Education (Dr. K. L. Shrimali): (a) (i) Government Schools 197.

(ii) Public Schools (Members of Indian Public School Conference) aided by Government—Nil.

(b) The curriculum is the same in both categories of Schools but the medium of instruction differs.

Reservation in Promotions for S.C. & S.T.

1399. Shri Vishram Prasad: Will the Minister of **Home Affairs** be pleased to state:

(a) whether it is a fact that Government have decided to reserve some quota for the promotion of employees of class III and IV belonging to Scheduled Caste;

(b) if so, whether Government contemplate to make similar provision in class I and II services;

(c) if so, when; and

(d) if not, why not?

The Minister of Home Affairs (Shri Lal Bahadur Shastri): (a) to (d). The matter is under consideration.

Garo Hills Coal Bearing area in Assam

1400. Shri P. C. Borooah: Will the Minister of **Mines and Fuel** be pleased to state:

(a) whether it is a fact that the Garo hill coal bearing area in Assam is not being properly explored for want of a connecting link road between this area and the South Trunk Road;

(b) if so, the steps taken to provide this road; and

(c) the progress so far achieved in the coal exploration in that area?

The Minister of Mines and Fuel (Shri K. D. Malaviya): (a) and (b). It is true that want of a proper road is standing in the way of developing the coal-bearing areas in the Garo Hills. The State Government are considering the question of providing some funds for construction of the said road, although presently, funds do not appear to be in sight. However, the development of the mines will also depend on the overal economics of producing coal in this area and transporting it over the difficult terrain.

(c) The Government of Assam has only very recently asked the National Coal Development Corporation to undertake exploration and mining of the Garo Hills coal.

Bhutanese Students in India

1401. Shri N. R. Laskar: Will the Minister of **Education** be pleased to state:

(a) the number of Bhutanese students receiving education in India with scholarships of the Government of India at present; and

(b) the amount that has been spent on this during 1962?

The Minister of Education (Dr. K. L. Shrimali): (a) 79.

(b) Rs. 1.90 lakhs.

दिल्ली प्रशासन के कर्मचारियों के लिये मकान

१४०२. श्री कछवाय : क्या गृह-कार्य मन्त्री यह बताने की कृपा करेंगे कि :

(क) दिल्ली प्रशासन के ऐसे कितने कर्मचारी हैं, जिन को रिहायशी मकान नहीं मिले हैं ;

(ख) क्या प्रशासन का उन के लिये रिहायशी मकान बनवाने का विचार है ; और

(ग) यदि हां, तो इस ओर क्या कदम उठाये जा रहे हैं ?

गृह-कार्य मंत्रालय में राज्य मंत्री (श्री हजरनवीस) :

(क) सूचना एकत्रित की जा रही है और प्राप्त होने पर सदन के पटल पर रख दी जायगी ।

(ख) जी हां ।

(ग) निम्नलिखित रिहायशी मकानों के निर्माण के लिये पंचवर्षीय योजना में एक करोड़ रुपये का प्रबन्ध किया गया है ।

१) जनरल पूल-डी ।। फ्लैट (वेतन-क्रम	५००-७५०)	५०
श्रेणी ई० के क्वार्टर (,,	२५०-४९९)	१००
,, एफ० ,, ,, (,,	१५०-२४९)	२००
,, जी० ,, ,, (,,	११०-१४९)	४००
,, एच ,, ,, (चपरासी)		२००
२) पुलिस पूल-इन स्थानों में पुलिस लाइन्स रिहायशी युनिट एच० तथा जी० श्रेणी के)	(१) वजीराबाद (२) एंड्रयूजगंज (३) शकूर बस्ती	

(३) नियोजन, प्रशिक्षण तथा तकनीकी शिक्षा निदेशालय :

श्रेणी	पूसा	अरब की सराय	ओखला व शाहदरा में प्रत्येक	लाजपत नगर तथा सिविल लाईन्स वीमैन्स पोलीटैक्नीक	
डी० ।।	४	२	४	—	प्रत्येक शिक्षण संस्था में विस्तृत योजनाएं तैयार होने पर समायोजन करके क्वार्टरों का निर्माण होना है।
ई०	२४	१२	६	४	
एफ०	२४	१२	६	—	
जी०	२४	१२	६	—	
एच०	—	१२	६	६	

Coal Development in West Bengal and Bihar

1403. **Shri Mohammad Elias:**
Shri Prabhat Kar:
Shri Daji:

Will the Minister of **Mines and Fuel** be pleased to state:

(a) the number of schemes under taken or proposed to be undertaken in Bihar and West Bengal by the National Coal Development Corporation during 1963-64; and

(b) whether N.C.D.C. has any programme of mining operation and installation of Coal Washeries in the Salanpur Coal-Field of West Bengal so that large thermal power stations could be located in that region?

The Minister of Mines and Fuel (Shri K. D. Malaviya): (a) Two projects, one at Ramgarh and the other at West Bokaro in Bihar and one project at Ukhra in West Bengal are expected to be taken up by the National Coal Development Corporation during 1963-64. Three schemes have already been recently taken in Bihar and these are—Chalkari with a target production of 0.5 million tons, Kargali underground (Reorganisation) with a target production of 0.3 million tons and Sawang with a target output of 0.75 million tons. Further, two Projects have also been taken up at Sudamdih and Central Jharia but these are in the nature of advance action for Fourth and Fifth Plans.

(b) The Corporation has for the present no programme of working Salanpur Coalfied in West Bengal nor for installing a washery there.

Publishers from U. S. S. R.

1404. **Shri Indrajit Gupta:** Will the Minister of **Scientific Research and Cultural Affairs** be pleased to state:

(a) whether the Director of Oriental Literature Publishing House of the U. S. S. R. is at present visiting India to study the working of Indian publishing houses; and

(b) whether there is any joint Indo-Soviet project in the field of publication of literature?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) Yes, Sir. He is here at the invitation of the Indian Statistical Institute, Calcutta, for discussion to explore the possibilities of exchange of publications and publication of translations in India of articles and books published by the Academy of Sciences, U. S. S. R.

(b) Yes. The Agreement with U.S.S.R. concluded in 1958 provides for publication of English translations of Soviet text-books and manuals in India for use in our Technological Institutions.

Andaman Labour Force

1405. Shri Raghunath Singh: Will the Minister of **Home Affairs** be pleased to state:

(a) the number of workers in the Andaman Labour Force;

(b) the expenditure incurred on the Force during 1961-62;

(c) the number of workers required throughout a day for stevedoring of M. V. Andaman and M. V. Nicobar during their stay at Port Blair; and

(d) the total bill for stevedoring work on these ships at Port Blair during 1961-62?

The Minister of State in the Ministry of Home Affairs (Shri Hajarnavis): (a) 375 during 1962-63.

(b) Rs. 6,14,001 (Rupees six lakhs fourteen thousand and one).

(c) 270 to 340 mazdoors.

(d) Rs. 2,34,401 (Rupees two lakhs thirty four thousand, four hundred and one).

Kerosene distribution in Andamans

1406. Shri Raghunath Singh: Will the Minister of **Home Affairs** be pleased to state:

(a) whether kerosene distribution in Andaman Islands has become a monopoly business of Akoojee's business Group;

(b) whether the price of kerosene has gone up there and whether there was a kerosene famine in the Islands recently; and

(c) if so, the steps Government propose to take in the matter?

The Minister of State in the Ministry of Home Affairs (Shri Hajarnavis): (a) There are two authorised agents for kerosent oil in the Islands—

(i) Messrs Jadwet Trading Company, and

(ii) Messrs. Sukh Ram and Sons.

(b) and (c) Price of kerosene oil has gone up there since last fortnight or so due to increase in excise duty on kerosene. The suply position of kerosene in the Islands has been satisfactory except for a temporary short supply in September-October, 1962.

अनुसूचित जातियों तथा अनुसूचित आदिम जातियों के लिये मकान बनाने के लिये आर्थिक सहायता

१४०७. श्री कछवाय : क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि सरकार ने अनुसूचित जातियां एवं अनुसूचित आदिम जातियों के सदस्यों को ग्रामीण क्षेत्रों में मकान बनाने के लिये कुछ आर्थिक सहायता देने की स्वीकृति दी है ;

(ख) यदि हां, तो प्रत्येक व्यक्ति को कितनी सहायता दी जायेगी ;

(ग) क्या ऐसे सहायता प्राप्त मकान बनाने के लिये कोई नक्शा भी बनाया गया है ; और

(घ) यदि हां, तो वह कब बनाया गया और कब स्वीकृति मिली ?

गृह-कार्य मंत्रालय में उपमंत्री (श्रीमती चन्द्रशेखर) : (क) जी हां !।

(ख) आम तौर पर प्रत्येक मकान के लिये ७५० रुपये तक की आर्थिक सहायता देने का प्रबन्ध है, किन्तु अलग अलग क्षेत्रों में स्थानीय रूप से उपलब्ध सामान की कीमत

श्रौर निर्माण की लागत के श्राधार पर ३०० रुपये से ७५० रूपये तक के बीच सहायत्ता दी जाती है ।

(ग) श्रौर (घ) : इन मकानों का नक्शा स्थानीय श्रावश्यकताश्रों के श्राधार पर राज्य सरकारों श्रौर संघ राज्य क्षेत्रों के प्रशासनों द्वारा बनाया जाता है । उनके मार्ग दर्शन के लिये निर्माण, श्रावास तथा संभरण मन्त्रालय द्वारा मंजूर किये गये नक्शे की एक नकल भी सन् १६५८ में उन्हें भेज दी गई थी ।

Limestone deposits in Khammam District, Andhra Pradesh

1408. Shri Eswara Reddy: Will the Minister of **Mines and Fuel** be pleased to state:

(a) whether it is a fact that a mining base(lease) has been granted recently to the Government of Andhra Pradesh Mining Corporation for exploiting limestone deposits in Khammam District;

(b) if so, the place and area of base (lease); and

(c) the estimated output?

The Minister of Mines and Fuel (Shri K. D. Malaviya): (a) No, Sir.

(b) and (c). Do not arise.

जम्मू श्रौर काश्मीर में तांबे श्रौर बौक्साइट के निक्षेप

१४०६. { **श्री गोकरन प्रसाद :**
श्री श्रोंकार लाल बेरवा :

क्या **खान श्रौर इंधन मंत्री** यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि जम्मू श्रौर काश्मीर के सीमावर्ती युद्धविराम रेखा के साथवाले क्षेत्र में लोलाव घाटी में तांबे व बोक्साइट के निक्षेपों का पता चला है ;

(ख) यदि हां, तो क्या सरकार ने उस क्षेत्र का सर्वेक्षण करा लिया है ;

(ग) यदि नहीं, तो सर्वेक्षण कराने में देर लगाने का क्या कारण है ; श्रौर

(घ) इस सर्वेक्षण पर कितना व्यय होने का श्रनुमान है ?

खान श्रौर इंधन मंत्री (श्री के० दे० मालवीय) : (क) जी नहीं ।

(ख) से (घ) : प्रश्न ही नहीं उठता ।

Grants from U. G. C.

1411. { **Shri P. Venkatasubbaiah:**
Shri Daljit Singh:

Will the Minister of **Education** be pleased to state:

(a) whether it is a fact that large sums of money out of grants given by the U. G. C. remained unspent with the Universities during 1962-63;

(b) if so, the names of universities and the amounts involved.

(c) which are the universities which fully utilised the grants during this year; and

(d) what steps are being taken to ensure that grants are spent fully within the year?

The Minister of Education (Dr. K. L. Shrimali): (a) to (d). The University Grants Commission gives grants to the Universities under the following categories:—

(i) grants paid in full and final settlement of schemes sanctioned earlier;

(ii) grants paid for the continuance of schemes which may take more than a year to complete;

(iii) grants paid for schemes which may be completed during the year.

2. As regards the utilisation of grants mentioned at (i) and (iii)

above, grants are paid on the basis of the estimates approved and in some cases the actual expenditure incurred. The Commission has to wait for the audited accounts and the completion certificates before issue of the utilisation certificates. The audited accounts are usually received in about a period of two years after the close of the financial year. The audited accounts for the year 1962-63 could thus be expected sometime in 1964-65. The question of utilisation of grants paid is thus examined after the audited accounts are received. With regard to the utilisation of grants mentioned at (ii) above, the question of utilisation is examined and settled when the schemes are completed.

3. In view of the position mentioned above, the University Grants Commission is not in a position to say at this stage what unspent balances are still lying with the Universities out of the grants paid during 1962-63. The Commission, however, takes care to see that grants released are expeditiously utilised by the Universities and large unspent balances do not remain with them.

Central Secretariat Services

1412. Shri P. Venkatasubbaiah: Will the Minister of **Home Affairs** be pleased to state:

(a) the authorised strength of Grade I and Section Officers' Grade of the Central Secretariat Service and the number of officers who were permanent and temporary on 1st January, 1963;

(b) the number of Officers in Grade I, who were drawing the maximum as Under Secretaries for the past three years on 1st January, 1963; and

(c) the authorised strength of selection Grade Officers and how many were temporary and permanent on 1st January, 1963?

The Minister of State in the Ministry of Home Affairs (Shri Hajarnavis): (a) and (d). The information is as under:

Grade	Authorised permanent strength.	No. of officers	
		Permanent	Temporary
Selection Grade.	46 (including one supermerary st)	44	109
Grade I	375	373	176
*Section Officers' Grade.	1,400	1,395	581

*The figures are as on the dates of decentralisation of this Grade, *viz.* Ist October, 1962.

(b) 24

Higher Secondary Education in Delhi

1413. Shri P. C. Borooah: Will the Minister of **Education** be pleased to state:

(a) whether it is a fact that Government Higher Schools in Delhi are proposed to be transferred to the Delhi Municipal Corporation;

(b) if so, the circumstances under which they are to be transferred; and

(c) what will be the effect of this transfer, if any, on the conditions of service of the employees concerned?

The Minister of Education (Dr. K. L. Shrimali): (a) Their is no such proposal under the consideration of the Government at present.

(b) and (c). Do not arise.

दिल्ली में चोरियां

१४१४. श्री कछवाय : क्या गृह-कार्य मन्त्री यह बताने की कृपा करेंगे कि :

(क) १९६१ से मार्च १९६३ तक दिल्ली में कितनी चोरियां हुईं, और उन चोरियों से सम्बन्धित कितने व्यक्ति पकड़े

गये तथा उन से कितना माल वापिस मिला ; और

(ख) क्या इन चोरियों के करवाने में किसी विशेष गिरोह का हाथ है ?

गृह-कार्य मंत्रालय में राज्य मंत्री (श्री हजरनवीस (क) १-१-१९६१ से २०-३-६३ तक की अवधि में दिल्ली पुलिस को चोरी के १६०३५ मामलों की रिपोर्ट मिली।

२८२१ व्यक्ति गिरफतार किये गये थे। २२,६६,०८८ रुपये ५० नए पैसे के मूल्य का चुराया हुआ सामान बरामद हुआ जिस में जेवर , कपड़े, साइकलें।साइकिलों के पुर्जे, मोटर कारें।मोटरों के पुर्जे, तांबे का तार आदि जैसी वस्तुएं शामिल हैं।

(ख) जी नहीं।

Clerical Staff in Delhi Schools

1415. **Shri Bade:**
Shri Kachhavaiya:
Shri Y. D. Singh:
Shri Brij Raj Singh:

Will the Minister of **Education** be pleased to state:

(a) the number of such Government and Government aided schools under Directorate of Education, Delhi Administration Delhi as are having more than 800 students;

(b) how many of them are having one U. D. C. and one L. D. C. as required by the orders; and

(c) in case the schools which are not having one more L. D. C. (in addition to one U.D.C.) what are the reasons?

The Minister of Education (Dr. K. L. Shrimali): (a):

(a)	Government Schools	44
	Aided Schools	56
(b)	Government Schools	21
	Aided Schools	50

(c) The post of L. D. C. is not automatically given to schools as soon as their enrolment exceeds 800. The position of each such schools is examined on merits with particular reference to the enrolment and the strength of the teaching staff once a year. An additional post of L. D. C. is sanctioned when it is found that one U. D. C. cannot cope with the work.

Indian Students studying abroad

1417. Shri Yajnik: Will the Minister of **Education** be pleased to state:

(a) the number of Indian students studying abroad on scholarships offered by the Ministry of Education, specifying the number of students studying in each country during the last three years; and

(b) the amount of foreign exchange that has been spent on these students country-wise during the last three years?

The Minister of Education (Dr. K. L. Shrimali): (a) and (b). Two statements giving the required information are enclosed, [Placed in the Library, *See* No. LT-1057/63].

हिन्दी टाइपराइटिंग और शार्टसेंड योजना

१४१८. श्री र म सेवक यादव : क्या **गृह-कार्य** मन्त्री यह बताने की कृपा करेंगे कि :

(क) उन के मन्त्रालय द्वारा संचालित हिन्दी टाइपराइटिंग और शार्टहेंड योजना के अन्तर्गत विभिन्न स्थानों में कितने केन्द्र खोले गये हैं ;

(ख) प्रत्येक केन्द्र में कितने प्रशिक्षणार्थी हैं और कितने प्रशिक्षणार्थीयों पर एक प्रशिक्षक नियुक्त किया जाता है ; और

(ग) क्या यह भी सच है कि कुछ क्षेत्रों में एक से अधिक अध्यापक नियुक्त किये गये हैं, और यदि हां, तो इस के क्या कारण हैं ?

गृह कार्य मंत्रालय में राज्य मंत्री (श्री हरजनवीस) : (क) ६.

(ख) एक विवरण सभा पटल पर रखा गया [पुस्तकालय में रखा गया। **देखिये**

संख्या एल. टी.–१०५८।६३] है। साधारणत: १२५ से १६० प्रशिक्षणार्थियों के लिए एक प्रशिक्षक नियुक्त किया जाता है।

(ग) विभिन्न केन्द्रों में इस समय प्रशिक्षकों की संख्या १ से ४ तक है। यह संख्या प्रशिक्षणार्थियों की गिनती, छुट्टी पर जाने वालों की जगह काम करने वाले व्यक्तियों को आवश्यकता तथा कार्यक्रम आदि पर निर्भर होती है।

Preparatory classes in Delhi Colleges

1119. **Shri Sham Lal Saraf:** Will the Minister of **Education** be pleased to state:

(a) whether it is a fact that Preparatory Classes for Matriculates in all the Colleges in Delhi are being closed down this year; and

(b) if so, the alternative arrangements made by the Authorities?

The Minister of Education (Dr. K. L. Shrimali): (a) The Prepratory Classes in Delhi Colleges were closed by the Delhi Uniersity last year.

(b) The Delhi Administration started special classes in some Government and Government aided schools for those who passed the High School or its equivalent examination. The continuance of these classes in the next academic year will depend on the number of students requiring such facilities.

Equipment for Indian Oil Company

1120. **Shri D. C. Sharma:** Will the Minister of **Mines and Fuel** be pleased to state:

(a) whether it is a fact that proposal to import distribution equipment for the Indian Oil Company from Italy is under consideration; and

(b) if so, the details thereof?

The Minister of Mines and Fuel (Shri K. D. Malaviya): (a) According to the latest indication import of oil distribution equipment from Italy will not be economical and hence the proposal is likely to be dropped.

(b) Does not arise.

12.03 hrs.

CALLING ATTENTION TO MATTERS OF URGENT PUBLIC IMPORTANCE

RELEASE OF INDIAN PRISONERS-OF-WAR IN CHINESE HANDS

Shri Raghunath Singh (Varanasi): Sir, I call the attention of the hon. Prime Minister to the following matter of urgent public importance and I request that he may make a statement thereon:—

> Chinese announcement regarding release of Indian Prisoners-of War.

The Prime Minister and Minister of External Affairs and Minister of Atomic Energy (Shri Jawaharlal Nehru): We have received intimation from the Chinese Government through our Charge d' Affaires in Peking about their proposal to release 3,213 captured Indian military personnel. They propose to begin this process of release from the 10th April through the Chinese Red Cross Society. Also, the corpses or ashes of 11 dead captured personnel will also be handed over. 144 persons will be handed over at Batitung on the southern bank of Puch River to south Sama on the 10th April at 1000 hours Peking time by the Chinese Red Cross to representatives of the Indian Red Cross. The majority of prisoners will be released north of the Bang Pass and the first batch of 469 including 27 wounded and sick were to be released on the 10th but the road to the Pass on the Chinese side is blocked with snow upto one metre depth and presumably the road to Tawang is also blocked with snow. Therefore the release may be postponed by 5 to 10 days depending upon as to when the road will be clear and if there is no further snow. That is all that we have heard.

श्री रघुनाथ सिंह : में जानना चाहता हूं कि इन को एक ही इंस्टालमेंट में छोड़ा जाएगा क्या ? में यह भी जानना चाहता हूं कि यह जो लोग वहां से आएंगे इन को अपनी अपनी यूनिटों में ले जा कर रखा जाएगा या इनके लिए कोई और खास इंतजाम किया जाएगा ?

अध्यक्ष महोदय : इनको पहले रिलीज तो हो कर आने दीजिये ।

श्री यशपाल सिंह (केराना) : यह जानने के लिए कि इन लोगों को इनडाक्ट्रिनेट तो नहीं किया गया है, इन को किसी खास कैम्प में रख कर इंटेरोगेट किया जाएगा या ऐसे ही रख लेंगे ।

अध्यक्ष महोदय : यह बात इस वक्त नहीं उठती है ।

Shri Ranga (Chittoor): In regard to brain-washing, whether the Government have any information.

Mr. Speaker: That he is not asking. He might put the question again.

श्री यशपाल सिंह : ये जो प्रिजनर्ज आफ वार छोड़ जायेंगे, इनको चाइनीज गवर्नमेंट ने इनडाक्ट्रिनेट तो नहीं किया है, यह जानने के लिए सरकार उन्हें किसी खास कैम्प में इंटेरोगट करने के लिए रखगी या ऐसे ही रख लेगी ?

Mr. Speaker: Now Mr. Ranga is satisfied that that was not his question.

Shri Ranga: I could not follow the Hindi.

Shri Hem Barua (Gauhati): In view of the fact that the decision of the Chinese to release the Indian POWs in their hands is propagated as an act of mercy by China—since we did not take any steps to effect their release—may I know what steps Government have taken or propose to take to see that China does not get an opportunity to march over us in this political propaganda?

Shri Jawaharlal Nehru: What were the last few words?

Shri Hem Barua: China is trying to take a diplomatic, that is political, advantage out of it.

Mr. Speaker: If he repeats the question, he would take too long. Shall we look into this matter that China does not take an opportunity to march over us in this diplomatic move?

Shri Jawaharlal Nehru: If I have to answer that, each country normally tries to better its own propagandist position and China, would, no doubt, try to do so, and it is up to us to do so too.

श्री प्रकाशवीर शास्त्री (बिजनौर) : जिन भारतीय युद्धबंदियों को चीन की ओर से छोड़ने की बात हुई है, इनके सम्बन्ध में भारत सरकार ने चीन सरकार को क्या कुछ लिखा था, यदि हां तो क्या चीन भारत पर भारत में नजरबन्द चीनियों को जहां तक छोड़ने का ताल्लुक है, प्रभाव तो नहीं डालेगा या उन पर किसी प्रकार का प्रभाव तो नहीं पड़ेगा ?

श्री जवाहरलाल नेहरू : जी नहीं, हम ने चीन सरकार को इस बारे में कुछ नहीं लिखा था । जो चीनी यहां नजरबन्द हैं, वे तो गालिबन चीन वापिस जायेंगे और हम ने पहले से ही उनकी इस बारे में रजामन्दी ले ली है । उनके लिए कुछ चीनी जहाज आ भी रहे हैं और वे उनको लेजायेंगे । हम ने उनको कहा था कि वे चाहें तो जा सकते हैं । कोई अगर जाने से इन्कार करे तो हम उसको जबर्दस्ती चीन नहीं भेजेंगे ।

Shri Harish Chandra Mathur (Jalore): Do I take it that this is a unilateral action by China just like the cease-fire and that there is no special significance about it?

Shri Jawaharlal Nehru: The hon. Member may take it as he likes.

Shri Kapur Singh (Ludhiana): May I know whether it is true that the Chinese usually make a small monetary gift to each released Indian POW with exhortation to deposit the same in the National Defence Fund of India? If so, whether our Government perceive some slight evidence of Chinese contemptuousness towards our defence preparations?

Mr. Speaker: Whether it is a fact that the Chinese, whenever they release Indian prisoners, give them some money just with the purpose of having it deposited in the Indian National Defence Fund.

Shri Jawaharlal Nehru: I have not heard of it.

श्री बूटा सिंह (मोगा) : चीन के कहने के मुताबिक उस के पास ३,२१३ युद्धबन्दी हैं जिन को वह छोड़ने जा रहा है । मगर हमारे रक्षा मंत्री जी ने जनवरी में बताया था कि उनके विचार के अनुसार ३,३५० प्रिजनर्ज आफ वार चीन के पास हैं । क्या हम यह समझें कि डिफेंस मिनिस्टर साहब का स्टेटमेंट सही है या जो चीन कहता है, वह सही है ?

अध्यक्ष महोदय : अब जो उन्होंने रिलीज करने को कहा है वह पढ दिया गया कि इतने रिलीज किये जायेंगे ।

श्री द्वारका दास मंत्री (भिर) : यह जो बन्दी आने वाले हैं हमारे यहां, उनके पश्चात भी क्या चीन सरकार के पास हमारे यहां के युद्धबन्दी बाकी रहने वाले हैं ?

श्री जवाहरलाल नेहरु: उन का बयान यह है कि जितने उनके पास हैं, वे भेज रहे हैं में यकायक नहीं कह सकता कि जो फिगर्स उन्हों ने दिये हैं, जो गिनती दी है, वह हमारे हिसाब से सही है या नहीं ।

HARASSMENT OF MEMBERS OF MINORITY COMMUNITY IN EAST PAKISTAN

Mr. Speaker: Now, the next calling-attention-notice.

Shri D. C. Sharma (Gurdaspur): I had sent also a short notice question on this matter.

Shri Hem Barua (Gauhati): I call the attention of the Prime Minister to the following matter of urgent public importance and I request that he may make a statement thereon:

> "The reported harassment of members of minority community in East Pakistan resulting in their migration into Assam as disclosed by the Finance Minister of Assam.".

The Deputy Minister in the Ministry of External Affairs (Shri Dinesh Singh): The details of the information communicated by the Finance Minister of Assam in the State Assembly on March 26 are that 14 Hajong families consisting of men, women and children, totalling 64 persons, arrived in Shillong on 23rd March, 1963. State Government officers questioned four leading persons from amongst these families and they have reported that these Hajong families were residents of villages named Radhanagar, Govindapur, Simakata and Panchgaon within the precinct of Kalmakanda Police Station in the district of Mymensingh in East Pakistan. They are Pakistani nationals and entered Assam without any travel documents. The reasons given by them for migrating are sense of insecurity, fear of personal molestation and economic depression in East Pakistan. They also stated that they were attracted by vacant reserve land near Village Kumarikata under Tamulpur Police Station in Kamrup District in Assam where some of their relations had been living for some time. They had crossed the border *via* Lengura Camp in East Pakistan and then proceeded to Maheshkhola in the United Khasi-Jaintia Hills about 15 days ago and some had crossed the border about a month ago. They are all labourers and while at Balat, they had earned their livelihood by working on a daily basis on the road which is now under construction by the Public Works Department with the intention of finally settling with their families in Kumarikata. It was also learnt that about 200 persons also from these villages in East Pakistan had similarly crossed over into India without travel documents and were also waiting to go to Kumarikata. These 64 persons have been housed temporarily at the Marwari Dharmsala in Shillong.

The State Government have also learnt that 30 persons consisting of 7 Hajong and one Namasudra family have arrived at Zamaduar, Balat and Rajapur in the Bholapeta area respectively. Furthermore, another batch of 30 persons consisting of 9 Hajong families residents of Gilagora and Durgapur Police Station precincts, have crossed over and are now staying at Samaduar, Betgora near Rengur Baratgora in Bholapeta and Balat areas. They are all working as daily-paid labourers.

The State Finance Minister also disclosed that during the last two months reports have been received of increase in harassment of the members of the minority community in East Pakistan particularly in the Mymensingh District.

A strong protest has been lodged by the Chief Secretary, Assam Government, with his counterpart, Dacca, emphasising that 166 persons have already crossed over into Assam due to harassment and lack of protection by the local Pakistani authorities. The East Pakistan Government have been requested to restore immediately conditions of peace and harmony amongst the minority community in these areas and to arrange to take back these families as early as possible.

As a matter of policy, so as to discourage migration from East Pakistan, we do not, at a rule, render any financial assistance to unauthorized migrants. On humanitarian grounds, we have sent Rs. 10,000 to the Chief Minister of Assam from the Prime Minister's National Relief Fund to assist those among these refugees who are really destitute.

Shri Hem Barua: In view of the fact that the Pakistan Minister for Information has recently said that India has adopted 'Hitlerite' methods to oppress Muslims in India, may I know whether Government have told Pakistan that the Muslims in India are absolutely safe and it is Pakistan that is oppressing the members of the minority community in their country, which is evidenced by this migration in violation of the Nehru-Liaquat Pact?

Shri Dinesh Singh: Yes. This is also obvious from the statement I have made.

Shri Hem Barua: No, it has not been replied to. He says it is obvious. I put a specific question.

Mr. Speaker: The first point is that this is a violation of the Nehru-Liaquat Pact and whether this fact has been brought to their notice.

Shri Hem Barua: Muslims are safe here.

Mr. Speaker: The second is that it is not the minorities in India which are suffering or discriminated against but rather in Pakistan that it is being done.

The Prime Minister, Minister of External Affairs and Minister of Atomic Energy (Shri Jawaharlal Nehru): I do not know; I rather doubt if mention was made of the Nehru-Liaquat Pact in our reply. But the facts appear to be that ever since some illegal immigrants into Assam from East Pakistan were sent back by the Assam Government, the people there in those areas, the authorities there, have reacted by bringing great pressure to bear on some Hindus who

[Shri Jawaharlal Nehru]

are living there, which has resulted in this kind of thing.

12.17 hrs

COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

EIGHTEENTH REPORT

Shri Krishnamoorthy Rao (Shimoga): I beg to present the Eighteenth Report of the Committee on Private Members' Bills and Resolutions.

STATEMENT BY A MEMBER AND MINISTER

Shri Surendranath Dwivedy (Kendrapara): Sir, you would remember that the other day when the Home Minister made some baseless charges against our Party, and when we challenged him, he promised to see me and give me such particulars as he had with him. You then observed that you would take a decision in the matter after hearing from us. Immediately on that very day, I wrote to the Home Minister asking him whether I could meet him in the course of the day or the day following. I received a letter from him saying that since yesterday was a holiday, he would look into the papers today and would meet me tomorrow.

This is a matter of great concern. As you know, we feel and think that the privilege of the House requires that either the charges should be withdrawn or the documents that he has in proof of the allegations should be laid on the Table of the House. I hope that when we meet we would probably be able to deal with that. We would then seek your guidance in the matter. But there has been some delay on account of a holiday coming in between.

Shri Tyagi (Dehra Dun): That is enough.

Mr. Speaker: I do not know if the hon. Home Minister would like to say anything.

The Minister of Home Affairs (Shri Lal Bahadur Shastri): I have nothing to add. I got his letter—it may have been sent on the 1st—yesterday and immediately I wrote to Shri Dwivedy that as the office was closed, I would look into the papers today and would meet him tomorrow and tell him whatever facts are with me.

Mr. Speaker: This is a matter on which Members are feeling very much exercised. Therefore, it is desirable that it should be done as early as possible.

12.19 hrs.

DEMANDS FOR GRANTS*—*contd.*

MINISTRY OF WORKS, HOUSING AND REHABILITATION—*cd.*

Mr. Speaker: The House will now proceed with further discussion on the Demands for Grants under the control of the Ministry of Works, Housing and Rehabilitation, together with the cut motions moved.

Shri Mohan Swarup may continue his speech.

श्री मोहन स्वरूप (पीलीभीत) : अध्यक्ष महोदय, मैं परसों यह अर्ज कर रहा था कि ठेकेदारी प्रथा को समाप्त होना चाहिए क्योंकि यह भ्रष्टाचार के लिए जिम्मेवार है । मैंने अर्ज किया था कि कांस्ट्रक्शन सोसाइटीज बननी चाहिएं और उनके द्वारा काम होना चाहिए । इसी के साथ साथ मैं यह भी कहना चाहता हूं कि जो पी० डबल्यू० डी० में आइटम रेटेस और परसेंटेज रेट्स का तरीका है उसको समाप्त किया जाए और लम्प सम काम देने की प्रणाली को अपनाया जाए । मेरे सामने

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*Moved with the recommendation of the President.

पबलिक वर्क्स एडमिनिस्ट्रशन रिपोर्ट है । उस में भी इस चीज की सिफारिश की गयी है कि आइटम रेट्स पर काम न दिया जाए क्योंकि इस से करप्शन घटेगा नहीं बल्कि बढ़ेगा ।

इसी के साथ में यह अर्ज करना चाहता हूं कि पी० डब्ल्यू० डी० में इस तरह की संस्था बने जोकि माडल प्लान्स तैयार करे और उनके एस्टीमेट भी बनाए और उन्हीं आधारों पर छोटी और बड़ी इमारतें बनायी जाएं । जैसे जैसे रेट्स घटे या बढ़े वैसे उन माडल्स के रेट्स में भी अन्तर कर दिया जाए ।

मैं चाहता हूं कि जब तक कि साइट का सिलेक्शन न हो जाए, और डिजाइन तैयार न हो जाए और जब तक साइट पर मैटीरियल न पहुंच जाए उस वक्त तक काम शुरू न हो ।

मरम्मत के लिए भी पी० डब्ल्यू० डी० में एक अलग से विभाग होना चाहिए क्योंकि यह बहुत बड़ा काम है । इसको निगलेक्ट किया जाता है । तो उस पर बल दिया जाए ।

इसी के साथ में यह चाहता हूं कि स्टैंडरडाइजेशन आप टैकनिकल रिक्वायरमेंट्स का भी विभागीकरण हो और रेट्स स्ट्रक्चर भी तैयार किया जाए और यह भी देखा जाए कि कितना मारजिन होता है ।

इसी के साथ साथ टैकनिकल आडिट की व्यवस्था होनी चाहिए जो कि अभी नहीं है । जिस तरह आडिटर जनरल और कंट्रोलर जनरल है, उसी तरह पी० डब्ल्य० डी० में एक अलग से टैकनिकल आडिट की व्यवस्था हो और वह पी० डब्ल्यू० डी० के असर से भी बाहर हो ।

इन चीजों के साथ साथ में यह भी अर्ज करना चाहता हूं कि पी० डब्ल्यू० डी० में जो करप्शन है और जो काम में खराबियां हैं और जो कि रोजाना अखबारों में छपती हैं, उनकी तरफ मंत्री महोदय को ध्यान देना चाहिए । अगर इस तरफ ध्यान नहीं दिया जाएगा तो यह करप्शन और बढ़ेगा और इस के लिए न केवल कैबिनेट जिम्मेवार होगी बल्कि पार्लियामेंट भी जिम्मेवार होगी कि क्यों इस करप्शन को जारी रखने दिया जाता है । मेरे पास इंजिनियर्स सिम्पोजियम की रिपोर्ट है, जो कि सन् १९६१ में हुआ था । उस में भी इस पर जोर दिया गया है । उस में कहा गया है :

> "There was complete unanimity of opinion regarding the necessity for radical changes in the Public Works Department."

अन्त में मैं इतना कह कर समाप्त करता हूं कि करप्शन को रोकने की तरफ ज्यादा ध्यान दें । इस डिपार्टमेंट का रिआरिएंटेशन होना चाहिए ।

अब मैं हाउसिंग की तरफ तवज्जह दिलाना चाहता हूं . . . . .

अध्यक्ष महोदय : अब समाप्ति के बाद भी आप तवज्जह दिलाना चाहते हैं ।

श्री मोहन स्वरूप : अब मैं हाउसिंग के बारे में अर्ज करूंगा । मैं ने पबलिक वर्क्स के बारे में समाप्त किया है ।

हाउसिंग के बारे में दिल्ली और दूसरे शहरों के बारे में कहा गया, लेकिन रूरल हाउसिंग के बारे में नहीं कहा गया । यह बहुत बड़ी समस्या है । हमारे देश में ५,५८,१०० गांव हैं और उन में ५४ मिलियन मकान हैं जिन में गांवों की जनता रहती है और इन ५४ मिलियन घरों में से ५० मिलियन घर ऐसे हैं जिनको फिर से बनाया जाए या उन की मरम्मत की जाए । दुःख की बात है कि इतनी बड़ी समस्या को हल करने के लिए गवर्नमेंट की ओर से कुछ नहीं किया गया । पहली प्लान में कुछ नहीं किया गया, दूसरी प्लान में इस के लिए १० करोड़ रुपया रखा गया और जब प्लान का रिएप्रेजल हुआ तो पांच करोड़ और बढ़ाया गया । इस

[श्री मोहन स्वरूप]

तरह १५ करोड़ की व्यवस्था की गयी। जो पांचवीं हाउसिंग मिनिस्टर्स कानफरेंस हुई उस में इस बात पर जोर दिया गया कि ३० करोड़ की व्यवस्था इस के लिए होनी चाहिए। जो कि नहीं की जा रही है।

सन् १९५७ में विलेज प्रोजेक्ट हाउसिंग स्कीम बनायी गयी और उसके तहत कहा गया कि ६६$^{२}/_{३}$ पर सेंट की उनको सहायता मिलेगी या दो हजार रुपया दिया जाएगा जो भी कम हो। मेरी समझ में नहीं आता कि दो हजार या १ हजार रूपए से हाउसिंग की समस्या का कैसे समाधान हो सकता है।

यह भी बताया गया कि गांव वाले रुपया नहीं लेना चाहते। मेरे खयाल में गांव के लोग यह समझते हैं कि दो हजार या एक हजार रुपए से कुछ होगा नहीं कर्जा और सर पर चढ़ जाएगा। इस लिए गांव वाले इस रुपए को नहीं लेना चाहते। और गवर्नमेंट इस तरफ तवज्जह नहीं देती। आज स्थिति यह है कि गांव के लोग शहरों की तरह भाग रहे हैं क्योंकि गांवों की स्थिति खराब होती जा रही है। जब वे शहरों का रहने का स्टेंडर्ड देखते हैं तो उन के मन में भी यह तमन्ना होती है कि वह भी अच्छा जीवन विताएं, अच्छे घरों में रहें, स्लम्स में और गन्दी गलियों में न रहें। जो लोग गांवों में जरा पढ़ लिख जाते हैं वे शहरों की तरफ भागते हैं। जिस का परिणाम यह हो रहा है कि गांव उजड़ते जा रहे हैं, और इस का खेती पर बहुत बुरा असर पड़ रहा है। इस लिए मेरा गवर्नमेंट से विनम्र निवेदन है कि वह गांवों की गिरती हुई हालत की तरफ ध्यान दे।

जो दिल्ली के लिए मास्टर प्लान बना है उस में गावों को लिया जा रहा है, और उनको उजाड़ा जा रहा है। और गांव वालों को जो पैसा मिलना चाहिए वह भी नहीं मिल रहा है। इस तरफ सरकार को ध्यान देना चाहिए।

गांवों में सड़कें भी बनानी चाहिए और इंडस्ट्रीज भी स्थापित करनी चाहिए। लेकिन एसा नहीं होता। अभी जो सन् १९६२ और १९६३ जो कानफरेंसें हुई दिल्ली और बम्बई में, उन में शहरों के बारे में बहुत कुछ कहा गया, लेकिन गांवों के बारे में कुछ नहीं कहा गया। मैं चाहता हूं कि जो हाउसिंग फैसिलिटीज शहरों में दी जाती हैं वही गांवों में दी जाएं। जो फैसिलिटीज शहरों में लो इनकम ग्रुप और मिडिल इनकम ग्रुप वालों को दी जाती हैं वे ही गांवों में भी दी जाएं। उनको आधा कर्जा मिले और आधी सबसिडी दी जाए। तीन हजार की आबादी का एक गांव बनना चाहिए और उन में सड़कों और दूसरी सुविधाओं की व्यवस्था करनी चाहिए। ऐसा करेंगे तभी गांवों की तरक्की होगी। केवल कहने से गांवों की तरक्की नहीं हो सकती।

अब मैं कुछ एस्टेट आफिस की तरफ आप की तवज्जह दिलाना चाहता हूं। एरियर्स बहुत कुछ बाकी है। पबलिक एकाउंट्स कमेटी की रिपोर्ट में कहा गया है कि ३२८३ हजार रुपए बाकी हैं सन् १९५७-५८, १९५८-५९ और १९५९-६० के बारे में और उस में इजहार अफसोस किया गया है कि उस एरियर को वसूल करने की तरफ कोई तवज्जह नहीं दी जाती। पुराने मिनिस्टर साहिबान अपने बंगलों में रह रहे हैं और उनको हटाने की तरफ कोई तवज्जह नहीं दी जा रही है। लेकिन गरीबों को आप डंडे के जोर से हटा देते हैं। मेरे पास तस्वीरें हैं। कि अरजुन नगर और नीमरी के लोगों को किस तरह डंडे के जोर से हटाया गया। एक तरफ यह स्थिति है और दूसरी तरफ मिनिस्टरों को हटाने की तरफ तवज्जह नहीं दी जाती।

एक हाउसिंग कमेटी बनी है . .

अध्यक्ष महोदय : आप का वक्त हो लिया ।

श्री मोहन स्वरूप : मुझे कुछ और बातें कहनी हैं, दो तीन मिनट और लूंगा ।

अध्यक्ष महोदय : आठ मिनटआप परसों ले चुके हैं और आठ मिनट आज भी होगए ।

श्री मोहन स्वरूप : मेरी प्रार्थना है कि मुझे थोड़ा समय और दिया जाएगा, दो तीन जरूरी बातें कहनी हैं ।

एक हाउसिंग कमेटी बनी है । उसका मुद्दा यह था कि इस समस्या का अच्छी तरह से समाधान हो । लेकिन होता यह है कि उससे अलग एक एकोमोडेशन कमेटी बनी है यह कमेटी हाउसिंग कमेटी के अन्तर्गत ही है । मैं इसके बारे में इसलिये अर्ज कर रहा हूं कि यह आपके द्वारा गठित की गई है । जो एकोमोडेशन कमेटी के प्रोसीडिंग्स होते है वे हाउसिंग कमेटी के सामने नहीं आते और वह जो चाहती है करती है । उसके प्रोसीडिंग्स कनफरमेशन के लिए भी हमारे सामने नहीं आते । मैं बहैसियत मेम्बर के यह चीज आपके सामने रख रहा हूं कि इसमें सुधार होना चाहिए अगर हाउसिंग कमेटी को ठीक तरह से चलाना है ।

अध्यक्ष महोदय : इसमें सुधार वह तो नहीं कर सकते और आपको यहां इसका जिक्र भी नहीं करना चाहिए था । यह चीज तो मेरे ताल्लुक है । आप मेरे पास आते । इस काम को मिनिस्टर साहब कैसे करेंगे ।

श्री मोहन स्वरूप : एकोमोडेशन कमेटी के प्रोसीडिंग कम से कम हाउसिंग कमेटी के सामने तो आते चाहिए ।

अध्यक्ष महोदय : इसके लिए आप मेरे पास आएं ।

श्री मोहन स्वरूप : एक चीज मैं अर्ज करना चाहता हूं फरनीचर के सिलसिले में । एक स्केल फरनीचर है, एक बिल्ट इन फरनीचर है और एडीशनल फरनीचर है । केवल फरनीचर का किराया २४ रुपये है । लेकिन अगर इसको हटा दिया जाए तो भी एडीशनल फरनीचर का काफी किराया लग जाता है । मैंने अपना स्केल फरनीचर हटा दिया है, लेकिन फिर भी मुझको २४ रुपया महीना देना पड़ता है । यह फरनीचर काफी पुराना हो गया है यह भी देखना चाहिए ।

अध्यक्ष महोदय : यह बात तो वाके बहुत जरूरी है ।

श्री मोहन स्वरूप : मैं संक्षेप में दो, तीन प्वाएंट और अर्ज करूंगा ।

सप्लाई आफ वाटर के बारे में मैं कहना चाहता था कि ३०३ ट्यूबवेल्स बने हैं जिनमें से कि २२३ ट्यूबवेल्स चालू और ८० बेकार पड़े हैं । मैं जानना चाहूंगा कि इसकी क्या वजह है ?

होटल जनपथ की तरफ मैं सदन और मंत्रीमहोदय का ध्यान दिलाना चाहता हूं । अभी तक उसके बारे में यह तय नहीं हो पाया है कि उसका स्टेटस क्या होगा ? कहा यह जा रहा है कि उसको किसी इंडिविजुअल को दिया जायगा । वैस्टर्न कोर्ट में कोई सज्जन हैं, उनका नाम मैं नहीं लेना चाहता, सुना जा रहा है कि यह उनको दे दिया जायगा । इस खबर से लोगों में बड़ा असन्तोष फैल रहा है । जब अशोक होटल मुनाफे पर चलाया जा सकता है तो जनपथ होटल को भी सरकार द्वारा मुनाफे पर क्यों नहीं चलाया जा सकता है ? उसको भी मुनाफे पर चलाया जा सकता है । इसलिए उसकी तरफ तवज्जह होनी चाहिए और इन होटलों के बारे में एक वाजे पालिसी होनी चाहिए ।

अध्यक्ष महोदय : अब तो माननीय सदस्य मेरी बात मान लें और अपनी बात खत्म कर दें ।

श्री मोहन स्वरूप : बस मैं एक चीज और अर्ज करना चाहता था कि मकानों के ऐलाटमेंट के बारे में जो गड़बड़ चलती है वह बंद होनी चाहिये। अब होता यह है कि कहीं तो मकान बिना एप्लीकेशन के एलाट हो जाता है तो कहीं अर्जी देने पर भी मकान नहीं मिलता है । मुझे बतलाया गया कि एक पत्रकार जो कि एक सेक्रेटरी की मिसेज के मकान में रहता था और उसको हटाया जाना था इसलिए उसको दूसरा मकान दे दिया गया । उसको कम्पल किया गया कि वह उसको खाली कर दे । मैं चाहता हूं कि इस तरह की गड़बड़ियां न हों ।

बंगाली कौलिनी के बारे में मैं अर्ज करूंगा . . . . .

अध्यक्ष महोदय : अब तो बस ही कीजिये । श्री नवल प्रभाकर ।

श्री नवल प्रभाकर (दिल्ली--करोल-बाग) : अध्यक्ष महोदय, मैं मंत्री महोदय का ध्यान तिहाड़ गांव की तरथ दिलाना चाहता हूं । जब से इस देश का विभाजन हुआ है और लोग गांव के अन्दर आकर रहे कई बार उनको आश्वासन दिया गया कि इस गांव का रिमौडलिंग होगा। रिमौडलिग के सिलसिले में कई बार उसका बजट बना और तखमीना लगा और उसे ७ लाख से बढ़ा कर २७ लाख कर दिया गया लेकिन आज तक उन लोगों को बसाया नहीं गया है । मेरा माननीय मंत्री की सेवा में विनम्र निवेदन है कि वह इस ओर ध्यान दें और विस्थापित भाइयों को बसाने को कृपा करें ।

झील नजफगढ़ की ओर भी मैं मंत्री महोदय का ध्यान दिलाना चाहता हूं । झील नजफगढ़ लगभग दस साल से भरी हुई है । कई बार इसका प्रयास किया गया कि इसका पानी किसी तरह से निकाला जाये । सारी विस्थापित बस्तियां इसके पास बस गई हैं और उनके बीच में से झील नजफगढ़ का नाला गुजरता है । अब सेंट्रल पी० डब्ल्यू० डी० की तरफ से इसका काम चल रहा है लेकिन जब भी हम अपने इलाके के के लोगों से पूछते हैं और लो काम हो रहा है उसको देखते हैं तो पाते हैं कि उस काम की गति बड़ी मन्द है । मेरा विनम्र निवेदन है कि इसमें कुछ गति लायें, तेजी लायें ताकि यह काम शीघ्रता से पूरा हो जाय क्योंकि यह शहर और गांव दोनों के लिये लाभप्रद है । गांवों के अन्दर बहुत सी जमीन पानी से घिरी हुई है और शहर के अन्दर भी जहां जहां यह नाला गुजरता है एक गन्दगी और बदबू फैलाता हुआ जाता है । इसलिये मेरी प्रार्थना है कि मंत्री महोदय इस ओर ध्यान दें ।

श्रीमन्, दिल्ली में ३६० गांव हैं । अब घटते घटते कोई २५० गांव रह गये हैं । जब गांवों की जमीन ऐक्वायर कर ली जाती है तो कुछ गांव उसके बीच में रह जाते है। बाहर से जो लोग आते हैं उनके लिये प्लाट्स डेवलप कर दिये जाते हैं । उनको बसाने के लिये भी योजनायें बनी हैं लेकिन जो गांव बीच में आ जाता है उसको स्लम डिक्लेयर कर देते हैं और फिर इन गांव वालों का जिनका कि पुश्तनी यह अधिकार है, उनके बाप दादा के समय से अधिकार चला आता है, सैकड़ों साल से जो यहां बठे हैं उनको वहां से हटाते हैं और उनको दूर किसी दूसरी जगह भेजते हैं । मेरा माननीय मंत्री की सेवा मे विनम्र निवेदन है कि आप गांवों की जमीनें ऐक्वायर करें लेकिन जिस गांव की जमीन ऐक्वायर करते हैं उसके डेवलपमेंट के लिए, उसके फैलाव या प्रसार के लिए, तो कुछ जमीन आप छोड़ दें ताकि वे ऐसी जगह पर फिट हो सके । वे लोग वहीं पर बस सकें । कई जगह देखा गया है कि वहां बहुत बड़े बड़े मकान बना दिये हैं और वह जो बेचारे गांव के लोग हैं वे असहाय अवस्था हो जाते हैं । न उनका कोई नक्शा पास करता है और न ही और कुछ प्रबन्ध होता है और लाचार हो

कर उनको परेशान हो कर वहां से हट जाना पड़ता है ।

श्रीमन्, गन्दी बस्तियों की जो योजना है यह काफी दिनों से चल रही है । लेकिन इसकी प्रगति भी बहुत ही मन्द है । माननीय मंत्री की सेवा में मेरा विनम्र निवेदन है कि वे इस ओर अवश्य ध्यान दें और इसके काम में तेज़ी लाने की कृपा करें । यह सही बात है कि यह काम म्युनिसपल कारपोरेशन को सौंप दिया गया है और म्युनिसपल कारपोरेशन इसको देखती है लेकिन मैंने यह देखा है कि म्युनिसपल कारपोरेशन में भी एक अलग महकमा बना हुआ है । पहले तो यह है कि म्युनिसपल कारपोरेशन एक आटोनमस बाडी है और उसने आटोनमस बाडी में एक आटोनसम बाडी बना दी है जिसका कि अधिकार म्युनिसपल कारपोरेशन को भी नहीं है । इसलिए, श्रीमन्, मेरा यह निवेदन है कि आप अपनी लेविल पर अगर सम्भव हो तो कोई कानूनी सुधार कीजिये क्योंकि हम तो आप को ही कह सकते हैं । इसलिए आप कुछ ऐसा इन्तजाम कीजिये ताकि इसमें प्रगति आये और जो गन्दी बस्तियां हैं, कुछ न कुछ लोग वहां से हटें या वहां पर ही कुछ डेवलपमेंट हो, विकासकार्य हो ।

झुग्गी झोपड़ियों के सम्बन्ध में मेरा निवेदन है कि आजकल उसका एलाटमेंट चल रहा है । लेकिन मैं इतना अवश्य कहूंगा कि उसमें हरिजनों के साथ में भेदभाव बरता जा रहा है । हरिजनों और उनके अन्य साथियों को जो कि झुग्गियों में रहते हैं उनको ऐसी जगह दी जाती है जो कि पीछे की तरफ होती है । मेन रोड से पीछे की तरफ होती है । उनको वहां पर बहुत असुविधा का सामना करना पड़ता है । उनको यह कहा जाता है कि यहां लेना हो तो ले लीजिये वरना यहां से भी खाली करके चले जाइये । इसलिये मेरा निवेदन है कि म्युनिसपल कारपोरेशन और दिल्ली में जो और दूसरे मुहकमे हैं वह लोगों को एम्प्लाय तो कर देते हैं, खास तौर से जो फोर्थ क्लास लेबर हैं जैसे झाड़ू लगाने वाले मजदूरों को भरती तो कर लिया जाता है लेकिन उनके रहने का कोई इंतजाम उनकी तरफ से नहीं होता है । मैं मंत्री जी से यह निवेदन करुंगा कि स्थानीय निकायों (लोकल बाडीज) को तरफ़ से जब उनको नौकर रखा जाता है तो नौकरी देने के साथ साथ उनके रहने का इंतजाम भी कर देना चाहिए । नौकरी पर लगाने से पहले उनको बसाने का इंतजाम करें । चूंकि कोई इंतजाम नहीं किया जाता है और वे झुग्गी झोंपड़ी डालते हैं और फिर उनको तोड़ने का सिलसिला शुरु होता है । अब होता यह है कि अगर यह देखा जाता है कि कारपोरेशन के कर्मचारियों के साथ उनकी झुग्गी से हटाने और उसे तोड़ने के सिलसिले में नर्मी बरती जा रही है तो उस हालत में उनके साथ और दस और गैर आदमी आकर झुग्गी झोपड़ी डाल कर बैठ जाते हैं और इस तरह से यह सिलसिला बढ़ता जाता है । इसलिए मेरा इस सम्बन्ध में विनम्र सुझाव है कि लोकल बाडीज नौकरी देने से पहले कम से कम अपने यहां क्वार्टर्स बनाय जहां कि उनके आवास की समुचित व्यवस्था की जा सके ।

कम आय वालों के लिये जो आवास योजना है उसके सम्बन्ध में मैं कहना चाहता हूं कि इसमें जितना रुपया रक्खा गया था तीसरी पंचवर्षीय योजना में, अब उसमें से सुना है कि एक तिहाई काट दिया गया है । यहां दिल्ली में पहले ही मकानों की बहुत किल्लत है । ऐसी अवस्था में मैं मंत्री जी से कहूंगा और श्रीमन्, आपके द्वारा प्लानिंग कमिशन से भी कहा चाहता हूं कि वह इस कटौती को वापस ले लें और जो एक तिहाई की कटौती की है उसको हटा दें ताकि मकान बनाने में असासानी हो सके ।

गांवों के अन्दर जो मकान बनाने की बात है उसके सम्बन्ध में मैं कहना चाहता हूं कि दिल्ली के अन्दर जैसा कि मैंने कहा केवल २५० गांव ऐसे रह गये हैं जो कि देहात के अन्दर माने जा रहे हैं । धीरे धीरे गांव समाप्त

[श्री नवल प्रभाकर]

होते जा रहे हैं । मैं माननीय मंत्री की सेवा में विनम्र निवेदन करूंगा कि वह देश के अन्दर बहुत सारे गांवों को डेवलप करना चाहते हैं । किन्तु मैं चाहता हूं कि जिस तरह से उन्होंने शहर के लिए एक मास्टर-प्लान तैयार कर लिया है, वैसे ही दिल्ली के देहात के लिए एक ले-आउट तैयार कर लिया जाये । आज नहीं तो दस, बीस, पच्चीस बरस बाद उन गांवों के डेवलपमेंट का प्रश्न आयेगा । इसलिये मैं कहना चाहता हूं कि अभी से हर एक गांव का लेआउट तैयार कर लिया जाये और उस ले-आउट के अनुसार ही उन गांवों का विकास आग चले और उस ले-आउट के अनुसार ही वे गांव बढ़, ताकि जब शहर बढ़ता हुआ चला जाये, तो वे उसमें फ़िट इन होते चले जायें और गांव वालों को दिक्कत न हो ।

श्री बागड़ी (हिसार) : अध्यक्ष महोदय, मैं आपकी मार्फत यह अर्ज करूंगा कि यहां पर झुग्गी-झोंपड़ियों का जो मसला है, वह एक बहुत बड़ा और बहुत ख़तरनाक मसला है । इससे देश की मर्यादा टूटती है और मानवता के चरित्र पर कलंक लगता है । आज हम चीन वालों को बदमाश, दरिन्दे और पापी कहते हैं । क्यों ? क्योंकि वे हमारे देश में रहने वाले इन्सानों को खाना-बदोश बना जाते हैं, उनके घर लूट लेते हैं, आग लगा देते हैं, मकान तोड़ देते हैं । यह बुराई और चीन की इस बुराई के ख़िलाफ़ हम चीनियों को इन्सान-नुमा दरिन्दे कहते हैं । ऐसे मौके पर देश में कौमियत, वतनियत और देशभक्ति का जज्बा होना यकीनी है । लेकिन दिल्ली जैसे शहर में, जो कि भारत का दिल और केन्द्र है, सरकारी कर्मचारी, कार्पोरेशन के कर्मचारी और दूसरे कर्मचारी, जिस तरह काम करते हैं, विदेशी हमला–आवर भी उस बेदर्दी से नहीं करते होंगे । उन गरीबों के मकानों और झोंपड़ियों को वे बचा देते हैं, बीमार बच्चे-बच्चियों को घसीट कर बाहर डाल देते हैं, उनका सामान बाहर फेंक देते हैं और ले भी जाते हैं । मैं निवेदन करना चाहता हूं कि जब हिन्दुस्तान की जनता के दिमाग में यह ज़हनियत और कमजोरी आ जायगी, जब उनमें जुल्म को बर्दाश्त करने की आदत हो जायेगी, तो यह देश कभी भी विदेशी हमले का मुकाबला नहीं कर सकेगा ।

दूसरी बात यह है कि उन लोगों को देश की आजादी से क्या फायदा हुआ । उनको इन बड़े बड़े महलों से क्या फ़ायदा हुआ ? क्या हिन्दुस्तान की स्वतन्त्रता के बाद उन ग़रीब लोगों का इस देश में इतना भी हक़ नहीं है कि वे कहीं पर झोंपड़ी डाल कर बैठ सकें ? आज अगर वे कहीं पर झोंपड़ी डाल कर बैठते हैं, तो उनके साथ दरिन्दों का सा सलूक किया जाता है ।

जो झोंपड़ियां अभी तोड़ी गई, उनमें ऐसी बच्चियां भी थीं, जिनको माता निकली हुई थी । अगर वे किसी मिनिस्टर, किसी बड़े आदमी, किसी एम० पी० या राजा-महाराजा, किसी नेता के बच्चे होते और उनकी झोंपड़ियों को तोड़-फोड़ कर उनको निकाला जाता, और वे साये और दवा के लिये सिसकते तो पता चलता कि कितना अन्याय और जुल्म है । बापू ने कई साल तक इस देश को यह सबक सिखाया था कि जुल्म के ख़िलाफ़ लड़ो । मैं अदब से अर्ज करूंगा कि गोडसे उनकी हत्या कर के शायद उनका सिद्धान्त ख़त्म नहीं कर सका, लेकिन हमारी लाड़ली सरकार ने इन पन्द्रह सालों में डंडे के जोर से झुग्गी-झोपड़ियों को तोड़ कर गांधी जी द्वारा दिए हुए सबक को खत्म कर दिया है, गरीबों के दिलों की शक्ति और शान्ति को समाप्त कर दिया है और इस देश के लोगों के मनों को इतना दुर्बल और कमजोर बना दिया है कि वे कोई कदम नहीं उठा सकते ।

ये बड़े महल बनें या न बनें, इससे कोई मतलब नहीं है। बड़े महल भी बनाये जायें, यह बड़ी अच्छी बात है। लेकिन कब ? जब हिन्दुस्तान के रहने वालों को सिर छिपाने को जगह मिल जाये। अगर बड़े बड़े महल बनाये जायें, अगर मिनिस्टर महोदय मीलों लम्बी-चौड़ी कोठियों में रहें और वे बिजली और पानी पर सैकड़ों रुपये ख़र्च करें, लेकिन गरीबों को उनकी झोंपड़ियों में भी रहने न दिया जाये, इस बात को किसी भी तरह मुनासिब नहीं ठहराया जा सकता है। सुना करते थे कि अगस्त्य मुनि तीन चुल्लू में समुद्र पी गए। लेकिन हमारे मिनिस्टर छः छः सौ रुपये की बिजली पी जाते हैं। लेकिन वह तो एक अलग बात है। जब एक तरफ वे इतना ज्यादा ख़र्च करते हैं, उनके लिए इतना ज्यादा ख़र्च होता है और दूसरी तरफ़ गरीबों के लिए रहने की कोई जगह नहीं है, तो फिर यह आजादी अधूरी आजादी है और यह आजादी के माथे पर कलंक का टीका है कि झोंपड़ियों में रहने वालों को उन झोंपड़ियों से निकाला जाये। उन लोगों के लिए कालोनीज बनाई जानी चाहिए।

जोरबाग रोड पर बागड़ से आये कुछ बागड़ी लोग पन्द्रह बीस साल से दुकान किया करते थे। वे आजादी से पहले वहां आबाद थे। उनके पास कोई हिसाब-किताब नहीं था। जब वहां पर चारों तरफ कांटेदार तार लगा कर उनको वहां पर बैठने से रोक दिया गया है। वहां पर ऐसा मोर्चा बनाया गया है, जैसे चीनियों को रोकने के लिए मैकमोहन लाइन पर मोर्चा बनाया गया हो। वे गरीब लोग वहां पर अपनी रोटी कमाया करते थे, लेकिन अब वहां पर काम करने और सब्ज़ी वग़ैरह बेचने से उनको रोक दिया गया है।

यह दिल्ली की बहुत गम्भीर समस्या है। इसके लिए मुझे प्राइम मिनिस्टर, पंडित नेहरू, के मकान पर धरना भी देना पड़ा और झोंपड़ी-झुग्गी वालों को वहां पर ले जाकर बिठाना पड़ा। जेल भी गए, लेकिन चीन के हमले और इमर्जेंसी की वजह से उस आन्दोलन को वापस ले लिया गया। लेकिन सवाल यह है कि सरकार इसको कित्तने दिन तक दबायेगी। असल में यह दबेगा नहीं। यह दोनों तरह से हानिकारक है। अगर सात लाख झुग्गी-झोंपड़ी वालों की आत्मा को कुचल कर उनको ख़ानाबदोश बना दिया, तो इस देश की मर्यातदा टूटेगी और यह देश मानहीन लोगों का देश बनेगा। अपनी मर्यादा को कायम रखने वाल देश नहीं बनेगा। और यह बात नहीं हो सकती। आख़िर यह बापू का देश है। वे लोग कब तक जुल्म को बर्दाश्त करेंगे ? अगर वे कभी अपने हक और मानवता के लिये उठेंगे, तो फिर देश में एनार्की फैलेगी और फिर सरकार की तरफ से कहा जायेगा कि उनको डिफेंस आफ इंडिया रूल्ज़ के तहत पकड़ लो। डिफेंस आफ इंडिया रूल्ज़ के तहत तो उनको पकड़ना चाहिए, जो हिन्दुस्तान, मादरे-वतन और राष्ट्रपिता बापू के हृदय और मन के राजाओं को उखाड़ते हैं। बापू ने कहा था कि मैं दरिद्र को राम के रूप में देखता हूं। इसलिए दरिद्र-नारायण को उखाड़ने वालों पर मुकदमा चलना चाहिए। जो उनको तबाह और बरबाद करते हैं, वे मुजरिम हैं। जिस तरह चीन जुर्म करता है, उसी तरह यह महकमा भी जुर्म करता है जो कि गरीबों को उनकी झोंपड़ियों से निकालता है।

जहां तक झुगी-झोंपड़ी वालों का ताल्लुक है, उनको कतई नहीं उठाना चाहिए, बल्कि हर कोलोनी और हर जगह पर उनको जगह दी जानी चाहिए। इस सिलसिले में हिसाब-किताब की बात कही जाती है। मैं अर्ज़ करना चाहता हूं कि हिन्दुस्तान में जो बेचारे गरीब और ख़ानाबदोश लोग हैं, जो हजारों सालों से दलित और समाज के सताये हुए हैं, अगर उनके पास हिसाब किताब होता, तो वे अपनी लूट-खसूट कैसे करने देते, उनका शोषण कैसे चलता। हिसाब-किताब में वे बेचारे कमजोर हैं।

[श्री बागड़ी]

हिसाब-किताब वे नहीं रख सके, यह कह कर उनको उजाड़ा जाता है। मैं सरकार से कहना चाहता हूं कि यह हिसाब-किताब का सिलसिला वह बन्द करे और वह ऐसे कायदे बनाये कि जिसके पास जगह नहीं है, जहां पर वह बैठा है, उसको उजाड़ा न जाए।

इसके बाद में कहना चाहता हूं कि हम इतिहास के साथ एक बहुत बड़ी बेवफाई कर रहे हैं। दुनिया में कहीं ऐसी बात नहीं हुई। महात्मा गांधी इस देश के राष्ट्रपिता थे। जहां पर वह शहीद हुए, जिस मकान में वे रहते थे, वहां पर उनकी यादगार बनाने के बारे में मैंने बारहा प्रधान मंत्री महोदय से ख़तो-किताबत की है। उन्होंने लिखा है कि बिड़ला साहब उस जगह को प्राइम मिनिस्टर को रहने के लिए तो देने के लिए तैयार हैं, उन्होंने ऐसा आफ़र किया था, लेकिन मैंने इन्कार कर दिया। जब बिड़ला साहब से पूछा गया तो उन्होंने भी कहा कि हां, मैंने प्राइम मिनिस्टर के रहने के लिए तो जगह देने की बात कही थी। अध्यक्ष महोदय, आप और यह शहीदों के इतिहास से पूरी तरह वाकिफ़ है। जब शहीदों के इतिहास को भुलाया जाने लगा, तो देश और कौम तरक्की नहीं कर सकते। अगर हमारे मिनिस्टर साहब बिड़ला साहब के साथ ख़तो-किताबत करते, एक दो लाख रुपया ज्यादा लग जाता, उस जगह को एक्वायर करके वहां पर महात्मा गांधी का स्मारक और शहीद होने की जगह पर यादगार बनाते तो अन्याय और फिरका-परस्ती के खिलाफ़ बापू का जो ख़ून बहा था, उससे देश को प्रेरणा मिलती और वह आगे बढ़ता। लेकिन देश को क्या कहें, इस पार्लियामेंट को कबरिस्तान बनाया जा रहा है और यहां पर मोतीलाल जी का बुत लगाया जा रहा है, महात्मा गांधी का नहीं। मुझे इस बात पर एतराज़ नहीं है कि यहां पर पंडित मोतीलाल नेहरू का बुत लगता है या और किसी का। कुछ ख़ूबियां और ख़सूसियत देख कर और नेशन के लिए किये गये त्याग को देख कर ही ऐसे बुत लगाए जाते हैं। ठीक है, उनका भी त्याग है। लेकिन जहां पर महात्मा गांधी का बुत नहीं लग सकता और नहीं लगा, वहां पर यह बुत लगाया जा रहा है। अगर यहां पर किसी का बुत लगाना था, तो उन शहीदों में से किसी का बुत नस्ब किया जाता, जिन्होंने नेफ़ा और लद्दाख की पहाड़ियों पर मादरे-वतन की सेवा करते हुए, मादरे-वतन की हिफाजत करते हुए जिन्दगी दी। अगर उनमें से किसी का बुत लगता, तो कौम में ज़िन्दगी आती। लेकिन यहां पर तो कबरिस्तान बनाया जा रहा है। चाहे किसी प्राइम मिनिस्टर का बाप हो, चाहे कोई और हो, यह हमारे देश के लिये अच्छा नहीं है।

अध्यक्ष महोदय : माननीय सदस्य को इस बारे में कुछ एहतियात तो करनी चाहिए। पार्लियामेंट में और उसके एहाते में जो चीज़ लगनी है, उसके बारे में अगर माननीय सदस्य मेरे पास आकर बात करें, तो अच्छा होगा। माननीय सदस्य यह जानते हैं कि यहां पर जो चीज़ लगाई जाती है, वह स्पीकर की इजाजत से ही लगाई जाती है।

श्री बागड़ी : इस बारे में हमारे होम मिनिस्टर साहब ने इशारा किया था . . . . .

अध्यक्ष महोदय : किस की इजाजत से लग रहा है, इसको भी आपको देख लेना चाहिये। बिना स्पीकर की मर्जी के कोई भी चीज़ नहीं लगाई जा सकती है। अगर आपको इस पर कोई एतराज़ है तो आप मुझ से आकर बात कर सकते थे और मैं आपको सारी बात बतला सकता था।

निर्माण, आवास तथा पुनर्वास मंत्री (श्री मेहर चन्द खन्ना) : इसमें गलतफहमी नहीं होनी चाहिये। जो बुत लग रहा है

वह इसलिए नहीं लग रहा है कि वह किसी के पिता थे । वह इसलिये लग रहा है कि उनका बड़ा जबर्दस्त असैम्बली के साथ सम्बन्ध था, पार्लियामेंटरी लाइफ के साथ सम्बन्ध था । यह भी हर कोई जानता है कि इस हाउस के आप मालिक हैं, पार्लियामेंट हाउस के प्रिसिंक्ट्स के आप मालिक हैं मेरे खयाल में जो इनका रिमार्क था मोतीलाल जी के मुताबिक, हय ठीक नहीं था । वह हमारे देश के एक जबर्दस्त नेता थे और उनकी बहुत भारी कुर्बानी थी । उनके मुताल्लिक मेरे ख्याल इस में तरह की बातें कहना जैसी कि माननीय सदस्य ने कही हैं, बायसे अफसोस है । मुनासिब यह होगा कि इस किस्म के रिमार्क्स को प्रोसीडिंग्ज में से एक्सपंज कर दिया जाए । वह एक बड़े जबर्दस्त नेता थे और हिन्दुस्तान को आजाद करने में उनका बड़ा जबर्दस्त हिस्सा था ।

श्री बागड़ी : गांधी जी से ज्यादा हिस्सा तो नहीं था . . . . .

अध्यक्ष महोदय : आप उसी बात पर जिद कर रहे हैं, यह ठीक नहीं है (*Incrruption*) मुझे इजाजत है कि मैं कुछ कह सकूं ?

श्री बागड़ी : जी हां ।

अध्यक्ष महोदय : मुझसे पहले जो स्पीकर साहबान थे, उन्होंने दो व्यक्तियों के बुत लगाने की मंजूरी दी थी । एक मोतीलाल जी नेहरू के बुत की और दूसरे लाला लाजपत राय जी के बुत की जो पंजाब के थे । उनका फैसला यहां हो चुका । अब अगर आपको इसके बारे में कोई शिकायत है तो आप मेरे साथ आकर बहस कर सकते हैं और मुझे अपना एतराज़ बता सकते हैं । मैं आपको कागजात दिखा सकता हू और दूसरी चीज आपके सामने पेश कर सकता हूं । अगर आपको यह मालूम न हो तो इसके बारे में आप मुझ से पूछ सकते हैं ।

जहां तक इस अहाते का ताल्लुक है, स्पीकर की मर्जी के बगैर कोई चीज़ नहीं लग सकती है । यह बात कहना कि प्राइम मिनिस्टर के पिता का लग रहा है, ठीक नहीं है । प्रधान मंत्री के पिता होने के बिना मोतीलाल जी का सियासत में, पार्लियामेंटरी लाइफ में और फ्रीडम स्ट्रगल में जो हिस्सा था, उसको भी देख लिया जाना चाहिये । इस तरह से मुकाबले शुरू करना कोई मुनासिब बात नहीं है । मैं यह नहीं समझता हूं कि जो कुछ उन्होंने कहा है, उसको निकाल देना ठीक होगा । लफ्ज़ वाकई अफसोसनाक हैं । मगर मैं उचित नहीं समझता हूं कि उनको निकालने की जरूरत है ।

श्री प्रकाशवीर शास्त्री (बिजनौर) : आपने कहा है कि आप से पहले जो अध्यक्ष थे उन्होंने यह निर्णय लिया था कि पंडित मोतीलालनेहरू जी और लाला लाजपतराय जी के स्टेचू यहां पर लगा दिये जाये । लेकिन सदस्यों को पत तब लगा जब यहां पर उनके बनने की तैयारी होने लगी । उससे पहले सदन में या समाचार पत्रों के द्वारा किसी प्रकार की जानकारी नहीं मिली थी । इसलिये यहां इसकी चर्चा आई । अगर पता लग जाता तो अच्छा होता

अध्यक्ष महोदय : आपने उस दिन भी एतराज़ किया था लेकिन मैं खामोश रहा था । आप सब जानते हैं कि इस अहाते के अन्दर स्पीकर की आखिरी अथॉरिटी है । आपने इतना कष्ट भी नहीं किया कि मेरे साथ आकर बैठते और बात करते । बिना ऐसे किये आपने यहां पर नुक्ताचीनी करनी शुरू कर दी । मेरा एतराज यह है कि ऐसा करना ठीक नहीं है । मेरे आने से पहले इसका फैसला हो चुका है कि ये दो बुत यहां लगाये जायें, मोतीलाल जी का और लाला लाजपत राय का ।

[अध्यक्ष महोदय]

इस मामले में एक आदमी की एक राय और दूसरे की दूसरी राय हो सकती है । लेकिन इसका इलाज यह है कि आपस में हम मिल कर इस पर विचार कर लें। गवर्नमेंट का इससे कोई ताल्लुक नहीं है । जो सोसाइटी यहां पर एक अर्से से बनी हुई है वह इस बात के लिये ज़ोर देती आ रही है कि लाला लाजपत राय का बुत लगाने की उसको इजाज़त दी जाए । उसका कहना है कि तमाम पब्लिक की यह इच्छा है कि वह काफी देर से बुत बनवाने की इंतजार में हैं । अगर आपका कोई एतराज़ हो तो आप मेरे पास आइये, मैं आपको समझा दूंगा कि किन आदमियों की इच्छा है, कौन मेरे पास आते हैं ।

मैं पहले ही कह चुका हूं कि जहां तक पार्लियामेंट का ताल्लुक है और इस अहाते का ताल्लुक है, उसके बारे में आखिरी अथारिटी स्पीकर की है । बिना इसका खयाल किये हुए नुकताचीनी करना शुरू कर देना और यह कहना शुरू कर देना कि प्राइम मिनिस्टर के बाप की लगा रहे हैं , दुरुस्त नहीं है । मोतीलाल जी का स्थान नेहरू का बाप होने के अलावा और भी हमारे पालिटिक्स में है उनके लिए हमारे दिलों में इसलिए इज्जत नहीं है कि वह जवाहरलाल जी के पिता थे ।

श्री बागड़ी : मैं आप की बात मानता हूं मगर मैं खन्ना साहब ने जो कुछ कहा है, उस का जवाब देना चाहता हूं । वैसे मोतीलाल नेहरू जी की ताजीम हिन्दुस्तान के अन्दर दूसरे देश भक्तों से कम नहीं है । बहुत से देश भक्त हमारे देश में हुए हैं । उन की ही सब से ज्यादा देश भक्ति थी, ऐसा नहीं कहा जा सकता है । उन्हीं में ही कोई खास विशेषता थी, यह भी नहीं .

अध्यक्ष महोदय : इन्हों ने नहीं कहा है कि उन से ज्यादा किसी और की नहीं थी ।

श्री बागड़ी : वह यह कह रहे थे कि इस तरह की बात जो कहता है, उस को शर्म आनी चाहिए । मैंने तो ऐसी कोई शर्म की बात नहीं कही है । मैं देश भक्तों की बड़ी ताजीम करता हूं । जो साधारण कोटि का देश भक्त भी हो गुजरा है, उसकी भी मैं इज्जत करता हूं । अगर शहीदों की शहादत को मैं भुला दूं तब तो मुझे शर्म आए । मैंने तो उनकी शहादत को नहीं भुलाया . . .

अध्यक्ष महोदय : आप इस को छोड़िये और जो कुछ आप को कहना हो कहिये ।

श्री बागड़ी : डिफेंस कालोनी के अन्दर पहले फौजियों और जो रिटायर्ड फौजी थे, उनके लिए जगह दी गई थी । अब वहां आम आदमी भी जमीन खरीद सकते हैं । इस का नतीजा यह हुआ है कि पैसे वाले लोग ही उस जमीन को खरीद रहे हैं और जो फौजी हैं, और जो रिटायर्ड फौजी हैं, वे वैसे ही रह जाएंगे । मेरा सुझाव यह है कि इस की बन्दी की जाए ।

आज कल महंगाई बहुत अधिक है । दिल्ली "ए" क्लास सिटी है । जो लोग यहां पर दो सौ रुपया माहवार पाते हैं, उन से किराय के ४५ रुपय काट लिये जाते हैं । यह बहुत बड़ी रकम है । मैं अर्ज करूंगा कि दो सौ तक जिन मुलाजिमों की तनखाह है, उन से यह रकम किराये की सूरत में नहीं काटी जानी चाहिये ।

अब एक आखिरी बात मैं अर्ज करना चाहूंगा । देश में एमरजेंसी है और आज के हालात का यह तकाजा है कि खर्च कम किया जाए । जो बिजली पानी वाला सवाल आया था, उस के लिए मैं मिनिस्टर साहब का शुक्रिया अदा करता हूं । कई मिनिस्टर तो उस बात को ले कर छटपटा उठे थे । मेरा सुझाव यह है कि मिनिस्टरों को छोटी कोठियां दी जानी चाहिये । आप देश के भूखे तथा नंगे लोगों से उनके मुंह से एक एक

दाना और एक एक बूंद मांगते फिरते हैं । क्यों मिनिस्टर लोगों की कोठियों में खर्च कम नहीं आप करते हैं। यह जो पानी बिजली, फर्निचर का खर्च है, यह भी कम होना चाहिये । मेरा सुझाव यह है कि यह सब खर्चा उनको अपनी जेब से देना चाहिये ।

अध्यक्ष महोदय : श्री बाल्मीकी ।

श्री बाल्मीकी (खुर्जा) अध्यक्ष महोदय:–

अध्यक्ष महोदय : वह शायद उम्मीद नहीं करते थे कि उन को वक्त मिलेगा ।

श्री बाल्मीकी : निर्माण, आवास, सम्भरण तथा पुनर्वास मंत्रालय के सम्बन्ध में आप ने मुझे जो बोलने का अवसर प्रदान किया है, उसके लिए मैं आपको धन्यवाद देता हूं ।

पुनर्वास मंत्रालय को इस निर्माण-आवास मंत्रालय के अन्दर विलीन कर दिया गया है और उस काम को माननीय मंत्री जी समाप्ति की ओर ले जा रहे हैं । वह समझते हैं कि पुरषार्थी भाइयों की समस्या हल हो गई है । मैं मानता हूं कि वह बहुत कुछ हल हो भी गई है और उसका श्रेय उनको मिलना चाहिये । लेकिन आप के द्वारा मैं माननीय सदस्यों का ध्यान इस ओर आकर्षित करना चाहता हूं कि वे पुरुषार्थीभाई जो गरीबों की तरह रह रहे हैं, जो बगैर जायदादों के रहे हैं, विशेषकर हरिजन, उनके पुनर्वास का काम "न" के बराबर ही हुआ है । मैं यहीं नहीं, देश के अनेक भागों में जाने के बाद और अभी पंजाब के अन्दरूनी भागों में भी गया था, देखा है कि बलूचिस्तान, सिंध या फ्रंटियर जहां से कि हमारे मंत्री महोदय आते हैं वहां से भी बहुत से पुरुषार्थी भाई आये हैं, विशेषकर हमारे हरिजन लोग, जिन के लिए न नौकरियों का प्रबन्ध हुआ है और न रहने का, इस लिये कि उनके पास कोई जायदाद नहीं थी । कुछ कालोनीज यहां बनाई गई हैं, लेकिन उन कालोनीज में भी इस तरह के ज्यादातर लोगों को नहीं बसाया गया , हालांकि वहां पर बहुत काफी लोग बसाये गये हैं । यह ठीक है कि इस अवसर पर जब कि हमारे देश पर चीन के हमले से स्थिति बड़ी विषम है, मैं और तरह की विवाद ग्रस्त बातों को नहीं उठाना चाहता लेकिन फिर भी मैं यह अवश्य कहना चाहता हूं कि जो देश का विभाजन हुआ, वह देश के लिये बड़ी दुःखदायी घटना थी । हमें बापू जी को हाथ से खोना पड़ा । वह भी अत्यन्त दुःखजनक घटना थी । हालांकि यह बात भी सही है कि अनेक हमारे भाई ऐसे हैं, विशेषकर सफाई का काम करने वाले बाल्मीकी भाई, जिन को यहां लाया गया और अवसर भी दिया गया, लेकिन आज भी हमारे काफी भाई पश्चिमी पाकिस्तान में रह गये हैं, जिनके खत आते रहते हैं और उन में उन की दुःखभरी घटनायें वर्णित रहती हैं । मैं माननीय मंत्री जी का ध्यान आकर्षित करना चाहता हूं कि यह बात विशेषकर हमारे इतिहास में एक याद बन कर रह जाती है कि अभी उन को हटाने का काम कुछ हद तक ही किया गया है । उनके रिपैट्रिएशन का काम बीच में छोड़ दिया गया है । जब भी इस विषय में सलाह पाकिस्तान सरकार से की गई, उस सलाह के अन्दर भी जहां तक उन के धर्म को जबर्दस्ती बदलने का सवाल है या किसी तरह से उनको पाकिस्तान में जबर्दस्ती रखने की बात है उन की इच्छा के विरुद्ध, मैं कहना चाहता हूं कि उस ओर कम ध्यान दिया गया है उसकी ओर ज्यादा ध्यान देने की जरूरत है । मैं समझता हूं कि माननीय मंत्री जी इस को जरूर समझेंगे कि आज भी अनेक इस प्रकार के लोग हैं जिन की पत्नियां तो यहां हैं और आदमी वहां हैं या पत्नियां वहां हैं और आदमी यहां हैं । उन को ठीक तरह से लाने का कोई भी प्रयास नहीं किया गया है ।

जहां तक सफाई पेशा और बाल्मीकी भाइयों की बस्तियों के बसाने का सवाल है,

[श्री बाल्मीकि]

मैं समझता हूं कि यह काम बहुत उदासीनता से किया गया है, न के बराबर किया गया है। मैं यह दोष अवश्य इस मंत्रालय के सिर पर मढ़ना चाहता हूं। यहां पर कोई भी कालोनी बनी हो, चाहे विनोबा कालोनी हो या कालका कोलोनी हो, जो भी क्वार्टर बनाये गये वह जो हमारे भाई हैं उन लोगों के हाथ नहीं पड़े बल्कि दूसरे रिफ्यूजी भाइयों को दिये गये। यहां तक कि विनोबा कालोनी के अन्दर एक प्रकार का क्रीड़ा स्थल बनाया गया, और एक कम्यूनिटीहाल बनाया गया, कालका कालोनी के अन्दर भी उसी प्रकार से बनाया गया, लेकिन वह हमारे भाइयों के विरूद्ध दूसरों को दे दिया गया जबकि खास तौर से उनके काम के लिये ही, उनके सार्वजनिक कार्यों के लिये ही, वे स्थान बनाये गये थे, लेकिन वह नहीं हुआ। बावजूद इस बात के कि हम को हर तरह से इसके योग्य समझा जाता है दूसरों से ज्यादा, लेकिन उनको नहीं दिये गये। जिन लोगों को सदियों के प्रयास के बाद योग्यतम समझा गया है उनमें इतनी योग्यता है कि वे अपने पैरों पर खड़े हो सकें और अपना काम संभाल सकें, वे सिर्फ आपकी सहायता चाहते हैं, लेकिन हमें इस बात पर बड़ा अफसोस होता है कि यह सहायता हमें नहीं मिल रही है। माननीय मंत्री जी सहृदयता के साथ सब की बातों को सुनते हैं। मैं आशा करता हूं कि वे विशेषकर इन बातों की तरफ ध्यान देंगे और हमारी समस्याओं के हल में सहायता देंगे।

जहां तक इवैक्वी प्रापर्टी का सवाल है, हो सकता है कि जो लोग शक्तिशाली थे, जो लोग धन वाले थे उनको किसी प्रकार से कम्पेन्सेशन के रूप में जमीनें मिलीं चाहे वे रहने की रही हों या खेती की रही हों या आवास आदि की रही हों। हो सकता है कि इस तरह के लोगों को अधिक सहायता प्राप्त हो सकी हो जो कि धन आदि के रूप में अपना काम कर सकते थे। लेकिन जहां तक हरिजनों का सवाल है, विशेषकर बाल्मीकी भाइयों का, जो कि उन स्थानों पर बैठे थे, उनको जमीनें नहीं मिलीं। मैं अभी पंजाब के दौरे पर गया था, और वहां से लौट कर आया हूं। वहां पर सब जगहों पर ऐसी शिकायत आई है कि जिन अहातों के अन्दर जिन कटरों के अन्दर या मोहल्लों के अन्दर, या उन जमीनों के ऊपर जो कि देहातों या शहरों में थीं, जो लोग बीस बीस साल से, चालिस चालिस साल से, साठ साठ साल से हरिजन बैठे हुये हैं वहां उन में से बहुत कम लोगों को जमीनें दी जा सकी हैं। मगर इस के लिये न किसी प्रकार की सहायता सरकार की ओर से होती है और न विभाग की ओर से होती है। इस प्रकार के झगड़े सरकार के सामने आये भी हैं।

जब माननीय पन्त जी जिन्दा थे, सेंट्रल हरिजन वेलफेअर बोर्ड के अन्दर यह बात आई थी और यह कहा गया था कि अगर जो हरिजन इवैक्वी प्रापर्टी पर रहते हैं, और एक तरह से उनका कब्जा भी हो, वे धीरे धीरे किश्तों में धन दे दें, और वे दे भी सकते हैं, तो दस हजार रुपये से कम की जो प्रापर्टी है वह उन्हें प्राप्त हो जायेगी। लेकिन प्रश्न यह है कि उन पर बोलियां लगाई जाती हैं। जब बोलियां लगाई जाती हैं तो जो धन वाले हैं, जो पैसा वाले हैं या जो इस प्रकार के लोग होते हैं जो कि हर एक को खुश कर सकते हैं वे उनको खरीद ले जाते हैं। इस बारे में एक यह भी शिकायत है कि इस तरह के लोग बड़ी बोली बोलकर अधिक हिस्सा ले जाते हैं और हरिजनों को वे जमीनें प्राप्त नहीं हो सकती हैं। मैं माननीय मंत्री महोदय का ध्यान आकर्षित करना चाहूंगा कि जो हरिजन इन इवैक्वी प्रापर्टीज के अन्दर बैठे हुये हैं, चाहे वे आवास की हों या किसी और प्रकार की हों, इस बात का प्रयतन किया जाना चाहिये कि वे जमीनें उनको ही मिलें। यह एक गम्भीर

सवाल है जिसकी ओर हम को ध्यान देना चाहिये ।

आज हमारे देश में स्थिति यह है कि हमारा देश समाजवाद की ओर बढ़ रहा है । हमने समाजवाद को अपनाया है, आज हम समाजवादी ढांचे से पार हो रहे हैं । चाहे हम पर कोई चीनी खतरा ही क्यों न हो लेकिन जो हमारा मन्तव्य है, जो हमारा ध्येय है वह आज भी जारी है । समाजवाद का एक ही उद्देश्य होता है कि उसके अन्दर जो रहने के साधन हैं, खाने पीने के साधन हैं और जो सम्पत्ति प्राप्त करने के साधन हैं वे सामान्यतया ऐसे हों कि वे उन लोगों को भी प्राप्त हो सकें जिन्हें कभी प्राप्त नहीं हुये हैं । जो सदियों से भूखे रहे हैं और समाज की सेवा करते रहे हैं, उन्हें जमीनें प्राप्त हो सकें । मैं इस ओर माननीय मंत्री महोदय का ध्यान आकर्षित करना चाहता हूं ।

मैं माननीय मंत्री महोदय को विशेषकर धन्यवाद देना चाहूंगा कि जो भ्रष्टाचार वर्क्स हाउसिंग मंत्रालय में प्रतीत होता था उसमें कमी हुई है । इस तरह के भ्रष्टाचार करने वालों को चाहे वे इंजीनियर हों या कोई भी हों, आड़े हाथों लिया गया है । लेकिन मैं विशेषकर आप का ध्यान आकर्षित करना चाहूंगा कि इउ मंत्रालय के अन्दर जो भ्रष्टाचार की जड़ है वह ठेकेदारी प्रथा है । उसकी वजह से जो भ्रष्टाचार होता है उसको समाप्ति को ओर ले जाने के लिये कोई प्रयत्न नहीं किया गया है, चाहे वह किसी भी रूप में हो, चाहे सरकारी ढंग पर किसी दूसरे आधार पर । मैं कहना चाहता हूं कि इस बारे में विशेषकर जो हमारी कोआपरेटिव सर्विस सोसायटीज हैं उनकी सहायता ली जाय और प्रोत्साहन दिया जाये । यह वायदा भी किया गया था कि धीरे धीरे यह ठेके सहयोग के आधार पर उन लोगों को भी दिये जायगे जिन से साधारण जनों का सहयोग हम को प्राप्त हो सके । मैं विशेष रूप से आप का ध्यान इस बात की ओर दिलाना चाहता हूं कि आज हम समाजवादी समाज की बात करते हैं, उसके ऊपर बार बार ध्यान देते और दिलाते हैं, विशेषकर हमारी आवास समस्याओं की ओर इतना ध्यान उस दृष्टि से नहीं दिया जाता है लेकिन यह बात ठीक है कि आवास का प्रश्न एक बहुत जटिल प्रश्न है । गन्दी बस्तियों के बारे में और झुग्गी झोंपड़ियों के बारे में दूसरे साथियों ने भी प्रश्न उठाया है कि इसकी ओर बहुत कम ध्यान दिया जा रहा है । मैं चाहता हूं कि इस प्रकार इस ओर ठीक से ध्यान दिया जाना चाहिये, जिस प्रकार बेरहमी से झुग्गी झोंपड़ियां गिराई जाती हैं उस प्रकार से जुल्म नहीं होना चाहिये । वे लोग जहां पर रहते हैं, जिस आराजी पर रहते हैं, वहीं पर उन्हें बसाने का प्रयत्न किया जाये । मैं यहां पर यह भी निवेदन करना चाहता हूं कि झुगियों के आवास या सफाई पेशा लोगों के आवास की तरफ बहुत कम ध्यान दिया गया है । यह काम बहुत मन्थर गति से चल रहा है और राज्य सरकारें भी इस ओर बहुत काम नहीं कर रही हैं । इधर तेजी बरती जानी चाहिये ।

आप रफी मार्ग पर संसद सदस्यों के लिये एक हास्टेल बनाने जा रहे हैं । वहां पर आप विशेष कर एक गोष्ठी क्लब बनायेंगे जहां पर आमोद प्रमोद और आनन्द बिहार होगा । लेकिन मैं नहीं समझता कि जो भंगी भाई वहां चालीस सालों से रह रहे हैं उनका क्या होगा । जिन मेम्बरों के लिये वे बनाये जायेंगे उनके पास कार भी हो सकती है, दूसरे साधन भी हो सकते हैं, उनको आप कहीं दूर भी बसा सकते हैं । लेकिन इन गरीब भाइयों को उखाड़ कर समाजवादी समाज का आधार नहीं आ सकेगा । समाजवादी समाज का आधार यह है कि जो लोग बीच में रह कर सुबह से शाम तक सेवा करते हैं उन को न उखाड़ा जाए । माननीय मंत्री जी स्वयं जानते हैं, मैंने उनसे बातें की है, कि उन

[श्री बाल्मीकि]

लोगों की क्या कठिनाइयां हैं। इस अवसर पर उन लोगों को उखाड़ा न जाये, उनको दूर न भगाया जाये। उनको जो दूर भेजा जा रहा है जिससे कि वे कष्ट को प्राप्त हो रहे हैं, इस पर ध्यान देने की आवश्यकता है।

जहां तक उनको बसाने का प्रश्न है, गन्दी बस्तियों के लिहाज से इस आवास की योजना में उनको कम स्थान दिया जा रहा है। मैं समझता हूं कि अब इस पर विशेष ध्यान दिया जायेगा। इन शब्दों के साथ मैं फिर माननीय मंत्री जी का ध्यान आप के द्वारा आकर्षित करना चाहूंगा कि हमारे भंगी भाइयों के लिये आवास बनाये जायें, वे दूर न भेजे जायें। इस बात की मिसाल हमारे दिमागों में रहेगी कि संसद सदस्यों को चूंकि दूर बसाया जा सकता है इसलिये गरीब लोगों को उनकी जगहों से उखाड़ कर कष्ट में न डाला जाये।

श्री कछवाय (देवास) : अध्यक्ष महोदय, मेरा भी नाम था, मैंने भी नाम दिया था।

अध्यक्ष महोदय : नाम तो है, लेकिन वक्त नहीं है।

श्री कछवाय : मैंने तीन चार रोज से नाम दिया हुआ है।

अध्यक्ष महोदय : नाम तो है आपका और भी कई नाम हैं, लेकिन वक्त नहीं। इस वक्त तो आपको मौका नहीं दिया जा सकता।

श्री कछवाय : मैंने काल अटेंशन नोटिस दिया था और मुझे बतलाया गया था कि तुम इस पर बोल सकते हो।

अध्यक्ष महोवय : क्या आपकी पार्टी का कोई मेम्बर इस पर बोला है ?

श्री कछवाय : जी हां, लेकिन मैंने अरजेंट नोटिस दिया था और मुझे सेक्रेटरी महोदय द्वारा सूचना मिली थी कि मुझे समय मिलेगा।

अध्यक्ष महोदय : लेकिन आपकी पार्टी को मौका तो दिया गया, अब अगर उस ने दूसरे मेम्बर को खड़ा कर दिया तो मेरा क्या अख्तियार है। अब तो मैंने मिनिस्टर साहब को बुलाया है, आप फाइनेंस बिल पर बोल लीजियेगा।

The Minister of Works, Housing and Rehabilitation (Shri Mehr Chand Khanna): Mr. Speaker, Sir, I am grateful to the hon. Members who have taken part in the debate and made valuable suggestions. Within the time at my disposal, it may be possible for me to deal with every particular suggestion that has been made, but I do wish to tell them that every suggestion that has been made shall be examined and whatever appropriate action can be taken shall be taken.

Shri D. N. Tiwary (Gopalganj): Also the hon. Minister may inform the Members concerned.

Shri Mehr Chand Khanna: I may even write to the Members concerned about certain points that they have raised. I shall try to do that. I am also grateful to the hon. Members who made appreciative references day before yesterday to my work in the Ministry of Rehabilitation. It gives one very great encouragement. After all these years, for one who has tried to do his work honestly and conscientiously, there is an appreciation from one's own colleagues.

Sir, this Ministry is now no longer the Ministry of Rehabilitation of which I used to be in-charge and was in-charge for a period of about 15 years. The name of this Ministry is, the Ministry of Works, Housing and Rehabilitation. Apart from that, in this Ministry, we deal with printing, publication and stationery. Then, we used to have the Supplies Department which is no longer with me now. Dr. Singhvi made a reference about it day before yesterday, enquiring why was this Department being taken away from this Ministry no concern of mine? But I do say that it has passed into very tried and experience hands and

full justice shall be done to the work of this Ministry, I have only one regret and that is that I had to part with my hon. friend and colleague, Shri Jaganatha Rao and during the short period that he was with me, he did very good and valuable work and made very valuable contribution. We even deal with Boilers and Explosives. not explosives inside the House, but explosives outside. Then, we also deal with....

Mr. Speaker: We deal with them outside. We create them here.

Shri Mehr Chand Khanna: We also deal with some public undertakings like the Ashoka Hotel, the Hindustan Housing Factory and the National Building Construction Corporation. It is a Ministry which, at one time, was called a service Ministry. We have tried to serve and do our level best. But today I propose only to deal with two or three major aspects of this Ministry.

I shall first go to housing. There are two types of housing that we deal with: one is the social housing and the other is the direct housing programme of this Ministry which we undertake through the Public Works Department. When, I refer to the social housing, I have in my mind the subsidised industrial housing scheme, the slum clearance, the jhuggi-jhupri scheme and low income group scheme, rental housing and rural housing. These schemes are of very great importance. These schemes were launched a few years ago. Basically, these schemes are very sound and they are in the best interests of the country and the population in different spheres, whether you call it rural population, whether you call it slum dweller, whether you call a person who is an industrial worker or who lives in rental housing. We cannot build a house without money. We can do many things without money, but for housing, money is needed. Whether I purchase land, whether I develop a site, whether I have electricity or water, it is essential that money should be there. When these housing schemes were formulated in the First Five Year Plan, there was an allocation to the extent of 35 per cent for housing. In the Second Plan it came down to 19 per cent and in the Third Plan it came further down to 15 per cent. It is an irony that while on one side the population of the country has gone up, during the last ten years between the period 1951 to 1961, there has been a growth of over 21 per cent in the population of the country, the allocation under housing in the three successive Plans has been cut down from 34 per cent to 15 per cent, that is more than half.

Shri A. P. Jain (Tumkur): That is our complaint against you.

Shri Mehr Chand Khanna: I was there with you at that time. You have had no complaint against me. I was your adviser. That is what you told me. You paid me a compliment.

That has been the position. The reasons may be quite justified. I do not say there were no reasons, that the planners who drastically cut down the Plan allocations under housing gave housing only the same amount of importance or priority that it deserved. But the fact remains that money was highly inadequate and during this period, though we have been able to spend about Rs. 170 crores on housing, though we have been able to build over 2,55,000 houses. If I am asked, "are you fully satisfied with the performance", I am sorry to admit that I shall have to say, 'No'. We should have done better because if an average man is to have shelter and if the basic fundamentals of a socialistic pattern of society are food, clothing and housing—I shall not refer to the fourth priority as my hon. friend, the former Minister referred to, and my reasons are quite obvious, my age, and I will not..........

Shri A. P. Jain: Age is also deceptive.

13.17 hrs.

[MR. DEPUTY-SPEAKER *in the Chair*]

Shri Mehr Chand Khanna: I will not refer to that priority. But in a socialistic pattern of society, I do concede housing, food and clothing—are three basic fundamentals of our society. Attention has been paid to food and clothing. But the same attention has not been paid to housing. When I took charge of this Ministry, about 11 months ago, I went round various States and had personal discussions with my colleagues in the Housing Departments. After having analysed the problem, we called a conference of the Housing Ministers. But, as my misfortune would have it, it was timed with the Chinese aggression or the invasion on India. The result was that although we thought that with the money that we have and the targets that we wish to achieve, I should be able to convince the Planning Minister and Finance Minister, on account of the Emergency and the difficulties with which the country was suddenly faced, we could not get any further allocation. In fact, our allocations were further cut. I have no grouse on that account, because I honestly believe and I do concede that if this country has to remain strong, defence is our first requirement, and for the sake of defence, anything else and everything else can wait and should wait. And that is my experience as one who has lived on the frontier for over a period of fifty years. I feel that if the country has to be strong—and it must be strong to face aggression—perhaps, we may have to face many more cuts. But, as the Housing Minister I do have a grouse that while in other cases, perhaps, the allocations are being increased, in my case, even in the case of industrial housing, which is a part of production—because if industries have to be set up, then industrial workers have to be provided with accommodation, and unless we provide them with accommodation, I am afraid that we cannot step up our target of production to that extent—the allocations are cut. I do hope that my former colleague who has now gone to the Ministry of Economic and Defence Co-ordination which is now in charge of production, will take this up with his Minister and see that if he wants to step up production and set up industries, he has to find money for the construction of industrial houses.

We have taken a few steps, even in this difficult period, to find money, if we can, and step up our construction programme or even keep up to the original level. We get allocations under two heads for housing. One is the plan allocation which is provided in the Third Plan or in any plan, and the other is the money that we get from the LIC. Of the allocation of about Rs. 180 to 190 crores for housing in the Third Plan, we get Rs. 60 crores from the LIC. Last year we got only Rs. 6 crores from the LIC as against Rs. 10 crores. In Bombay, where we had the Second Housing Ministers' Conference, we invited the chairman of the LIC, and he was kind enough to tell me that he would make up the gap. So, instead of getting Rs. 10 crores this year, we shall be getting Rs. 14 crores, that is, Rs. 4 crores extra.

The second thing I feel—and the House has also expressed itself perhaps directly or indirectly—is about the setting up of a Central Housing Board. That is laid down in the Plan, and the Plan has been accepted by Government and by Parliament. But, as I said the other day in the House, when we ourselves are in difficulties today to raise funds, it will be well nigh impossible for any housing board, and that too, a Central one which has neither anything to do with the Government here nor anything to do with the State Governments, to raise any funds.

So, my suggestion is this, and I am taking it up both with the Planning Minister and with the Finance Minister, that if the LIC is agreeable to the diversion of Rs. 10 crores further for the construction of houses under our housing programme,—it may be for industrial housing, of which I have talked so much—and if I can get that money, then I shall get another Rs. 10 crores; that will make a total of an additional Rs. 14 crores.

Another thing that we are finding now is this, and that is very unfortunate, namely that while we are making honest efforts and very sincere efforts to find funds to implement our housing programme, some of the State Governments are even diverting the Third Plan allocation for housing to other projects. I should not say anything against any State; Madras is a very enlightened State, but Madras is one of the States which has now passed an order that no more housing should be taken up and only the residuary problem should be implemented, and whatever allocation under housing is there in the Third Five Year Plan should be diverted to some other important project. In Bombay also, there has been a severe cut.

So, I am taking up this matter too with my colleagues. The Housing Ministers of all the States are of one view and one mind, namely that no diversion should take place. I am hoping that even if this diversion from housing projects to other projects is checked, it will be able to give a certain amount of fillip to the housing programme. I have just mentioned that I propose to take up all these matters with the Planning Minister and the Finance Minister. In fact, I am not going to see them alone, but the Housing Ministers of most of the States who could come—and we decided it so in Bombay—are going to meet these two Ministers, the one who plans and the other who gives the money, on the 15th and 16th of this very month, and impress upon them the importance of the continuance of the housing programme and even of stepping it up. Beyond that, today, I am not in a position to say much.

Now, I shall come to two other schemes which are part and parcel of the housing programme. One is the *jhuggi-jhompri* scheme and the other is the slum clearance scheme. Some Members have unfortunately taken it upon themselves that even where we do something good, they either impute motives to us or belittle the effort.

A census was taken in June-July, 1960, according to which the number of squatters then was round about 40,000. It was then decided that each squatter would be given a plot of land of about 80 square yards and that would be on an ownership basis. The result was that within less than a year or eighteen months, another 20,000 squatters came and squatted on the lands, and the number went up to 60,000. My hon. friend Shri Bagri is not here at the moment. But he has got the view to which I can never subscribe that let any man come here from anywhere, squat anywhere, and according to my hon. friend Shri Balmiki, he should be regularised there at that very place; for, in that way, this problem will go on indefinitely. My own feeling is that if we keep that aspect of the matter before us and even indirectly subscribe to it, we shall never be able to do anything in Delhi at all, and all our developmental programmes, and all the progress of our construction programmes will come to an end.

So, what we have done is this. We have formulated a scheme, and under that scheme, everyone who squatted before June-July, 1960 shall be entitled to alternative accommodation when he is shifted from the place where he is sitting today. The question whether he is a Harijan or non-Harijan does not arise. The only exception that I have made is in the case of Government servants. If a Government servant is squatting, then he is the first charge on me, and under our general pool, he can be allotted accommodation. But I cannot allow a Government servant to go and squat, take house rent from me, and tomorrow claim land and then

[Shri Mehr Chand Khanna]

ask this *sisila* to go on with the Government of India. As you know, the number of Government servants in Delhi runs into thousands and thousands.

The other exception is in respect of an employees of the NDMC. Those employees of the NDMC, who may be displaced on account of the construction of flats for Members of Parliament on Rafi Marg, if they are entitled, must be provided with alternative accommodation, and we are going to do that. But the responsibility will be that of the local body concerned. If the local body concerned is not in a position to build, we can consider giving them some loans. But, apart from that, leaving out the Government servants who are the responsibility of the Government of India and the employees of the local bodies who are the responsibility of the local bodies concerned, every squatter who is there and who has squatted there before June-July, '1960 will be provided with alternative accommodation; if his name has been left out by mistake, I am even prepared to give him the benefit of an enquiry being made, and if he can prove that he was there before June-July, 1960, he shall be counted, he shall be enumerated, and he shall be provided with alternative accommodation like any other squatter, whose number runs to nearly 50,000 to 60,000.

Shri Indrajit Gupta (Calcutta South West): What kind of proof will be required? What sort of proof will he have to furnish?

Shri U. M. Trivedi (Mandsaur): The satisfaction of the Minister.

Shri Mehr Chand Khanna: No. First of all, the proof may be his name in the electoral roll, if his name is there; then, if his son is going to school, the father's name will be there, and his address will be there, and he may be receiving certain letters at that address. If there is any proof which will even be acceptable to my hon. friend Shri Indrajit Gupta who seldom sees eye to eye with me, I am prepared to accept it. My intention is this. If I am prepared to take 60,000 persons, a few hundreds here or there will not make any difference. To that extent, I am not going to belittle either the scheme or the effort. If any reasonable proof, any circumstantial evidence, can be produced to show that the man did squat there before June-July 1960, it shall be the responsibility of the Government of India to provide alternate accommodation. I boldly make that statement. But in making that statement, I want consideration, help and co-operation from my hon. friends opposite. I shall take charge of the squatters. I shall set up all these camping sites for them. My programme is to set up about 40,000 camping sites during one year, take them there and then gradually start developing sites. When I take them there, I will try and make provision for electricity or light, water; we will give them schools, we will give them reasonable facilities—even of hospital. But I want cooperation from my hon. friends opposite. If you are in agreement with my scheme, please extend to me your hand of co-operation. If you think there is something wrong or faulty with my scheme, I am prepared to sit around with anyone of you and discuss in various aspects of the scheme. The moment you tell a man that he can become owner of a piece of land in Delhi by unauthorised squatting—if we accept that principle—that will be the end of any regular development anywhere in Delhi or in any other part of India.

Another thing. I have said so—I am only repeating myself—that with a view to implement this *jhuggi-jhopri* scheme, and we want to go at a very fast pace, some things have to be done. Our difficulties are........

श्री यशपाल सिह (कैराना) : जब सरकार उन से टैक्स ले रही है और वह टैक्स लेने में सरकार अन-अथाराइज्ड नहीं है, तो वह

कंस्ट्रक्शन कैसे अनग्रथाराइज्ड हो सकता है ?

श्री मेहर चन्द खन्ना : मैं इस बात का जवाब देकर दूसरी तरफ चला जाऊंगा । झुग्गी झोंपड़ी वाले मेरे भाई दिल्ली में रहते हैं । वे मेरे वोटर हैं । मैंने हर एक झुग्गी झोंपड़ी जाकर देखी है । वे लोग रहते भी मुफ्त हैं, उनकी बिजली और पानी भी मुफ्त है और उनके स्कूल भी मुफ्त हैं । वे तो मुफ्त रह रहे हैं । अगर जलती है, तो मिट्टी की झुग्गी जल जाती है । किसी का मकान नहीं जलता है । लेकिन उनके साथ मेरी पूरी हमदर्दी है । कोई टैक्स नहीं देता है । माननीय सदस्य तो मुजफ्फरनगर में रहते हैं...

श्री यशपाल सिंह : मेरा मतलब डीमालिशन स्कीम से है । उनके मकान गिराये जा रहे हैं ।

श्री भक्त दर्शन (गढ़वाल) : माननीय सदस्य सहारनपुर के हैं ।

श्री मेहर चन्द खन्ना : सहारनपुर के हैं ?

श्री यशपाल सिंह : मंत्री महोदय सही फरमा रहे हैं । मैं मुजफ्फरनगर से ही हूं ।

उनके मकानात गिराये जा रहे हैं । लेकिन जब सरकार उन से टैक्स लेती है, तो वे अन-अथाराइज्ड कंस्ट्रक्शन कैसे हो गये, यह बात मेरी समझ में नहीं आती ।

श्री मेहर चन्द खन्ना : माननीय सदस्य मुझे माफ करें, ङ नहीं जानता कि टैक्स के उनके माने क्या हैं । अगर माननीय सदस्य श्री मोरारजी देसाई के टैक्स की बात कह रहे हैं, तो मुझे इल्म नहीं है, लेकिन मेहरचन्द खन्ना का उन पर कोई टैक्स नहीं है । वे मुफ्त रहते हैं । हमारी मिनिस्ट्री का उन पर कोई टैक्स नहीं है । लेकिन उनके साथ मेरी बड़ी भारी हमदर्दी है । उन्होंने मेरा हाथ पकड़ा । अगर न पकड़ते, तो मैं यहां भी न होता और शायद माननीय सदस्य की तरह... । मैं आगे कुछ नहीं कहना चाहता हूं ।

श्री यशपाल सिंह : सरकार की ज्वायंट रेस्पांसीबिलिटी है ।

Shri Mehr Chand Khanna: I was going to say that the Public Premises (Eviction) Act, which was formulated a long time ago and passed by this House, has with the lapse of time been found to be inadequate; some amendments have to be made if the scheme is to be implemented. First of all, there is a time-lag of 30, 45 and 90 days. Notices are given. Then there are appeals. Then are writ applications and all that. It is a very long process. We want to cut short that process. Then we want to make re-squatting a penal offence. Suppose a man is living in a *jhuggi-jhopri*. We offer him an alternative site. He goes there. Having taken a plot of land there, as has generally happened, the man comes back and starts re-squatting. In that way, nothing will be done. What I want the House to do is to give me full facilities to proceed with it. Notices to be given—yes, appeal—yes, time factor—yes, alternative site—yes, but if after having gone there, he comes back and re-squats, that must be a penal offence. He must be prosecuted and fined, he may even go to jail. Otherwise, it is not going to stop.

I happen to be a refugee—I am proud to be one. I have dealt with this question and have received compliments and bouquets. But this development started with me. We squatted. We got allotments. Either I kept mine with myself or gave them on rent or possibly sold them and started re-squatting again. This is a *bimari* that has gone on in Delhi. We must put an end to it.

I now come to slum clearance. This scheme is applicable only to six big cities in India— Delhi, Kanpur, Bombay, Madras, Ahmedabad......

The Deputy Minister in the Ministry of Economic and Defence Co-ordination (Shri Jaganatha Rao): Calcutta and Hyderabad.

Shri Mehr Chand Khanna: My old colleague has come to my rescue. The names are: Calcutta, Bombay, Madras, Ahmedabad, Kanpur and Delhi.

So far we have spent about Rs. 26 crores on the scheme and built about 82,000 houses. They have been sanctioned; they may be in the process of construction. I have not got the exact figures. It is a very essential scheme. It is a good scheme. We do not want to see the slums. Whether my house is big enough to have a race course or it is big enough to have a polo ground, this is neither here nor there. What is important is that those unfortunate people who happen to be Indians, who have the same right as I have as a Minister, should also have a shelter. But the implementation of the slum clearance scheme even under the Slum Clearance Act has presented very great difficulties—about valuation of the land, fixation of rent, the man being taken away from the slum area again coming back etc. Then some of these schemes have to be implemented through the landlords. The landlords, as is well known, in many cases are not very sympathetic, because the slum dweller will not pay them the regular market rent. Land values have gone up. If we take the normal, market value of the land into account, and the construction cost, no slum dweller can be taken back and kept there.

In this connection too, I am bringing forward a Bill arming Government with certain powers. I do not want the landlord to suffer. But I want him not to behave in a way that he goes and asks him to pay the economic rent which is entirely beyond his paying capacity.

Having dealt with these social schemes, I want to come to the construction programme of the PWD. Mahy bouquets were given to this great department; brickbats were also hurled and many accusations were made. Let me confess before the House that when I came to this Ministry about a year ago, I also had certain bias, prejudices and inhibitions against this department. To be fair, I thought I should look into the question at a very close quarter. I met the officers of the department, I met the architects, I met the artists, I also met the contractors, town planners and so on and so forth. After having had a frank talk, personal as well as in conferences, with them and having also had two or three meetings with the contractors, I found that the procedure for the sanction of the schemes, the procedure for the award of contracts and the power that flows from the Ministry to the Chief Engineer and from the Chief Engineer to the officers on the spot is so inadequate that if all that is to be accepted and followed, we will never be in a position to undertake any programme. I do not say there is no corruption, but I do certainly hold and maintain that with the co-operation that I am getting from my staff, I personally feel that we shall be able to deliver the goods, that with the fellowship that I am trying to create between the officers of the public works and the Ministry there should not be the same cause for complaint as up till now.

I want to add one thing more. The other day a question was asked in the House, and I think the Home Minister or the Minister of State, Shri Hajarnavis, replied to it. The question was about raising the age limit of retirement from 55 to 58, why a man, once he is given extension, cannot automatically go up to 58. I fully agree that if at the age of 66 I can be made Minister, there should be no difficulty for a Government servant to go on up to 58, but one thing I am going to do in the Public Works Department, and I have said so. If I find the record of an officer not good,—I may forgive inefficiency, but I shall never forgive lack of integrity and corruption—if I find there is an officer in my Ministry, in the Public Works Department, who has doubtful integrity, he is not going to get any extensson from me. If any action has to be taken, action shall be taken. But my idea is not to start a witch hunt. That is not my intention at all. Any officer who has got a good record shall have the full support of the Ministry. In other cases, there is no way out of it.

So, I have been trying to create a fellowship among the contractors, the engineers and the Ministry, and we have taken certain remedial measures too to see that our construction programme is stepped up. I will only mention them briefly. I have no intention of taking much time of the House.

We have reorganised the department. I will take a minute or two to explain what I mean by reorganisation. Previously, all my Additional Chief Engineers had their headquarters in Delhi. A man may have his work in Madras or Bombay or Calcutta, but he had his headquarters in Delhi. Similarly, the officers in charge of electricity had their headquarters in Delhi. Delhi has got a great charm as you know perfectly well. Whether he is an M.P., a Minister or a *juggi-jhompdiwala*, nobody wishes to leave Delhi once he comes to Delhi. Today we have decentralised the department. I am posting one Additional Chief Engineer in Calcutta. I have already done it. I am posting another to Bombay. This process is going on, so that there is direct supervision. The man is on the spot, we will even save money. All this unnecessary touring and the contractors coming to Delhi all the time will be eliminated. At the same time, when they know that the Additional Chief Engineer is on the spot, it is bound to have a certain salutary effect.

Similarly, procedure for the sanction of works has been simplified as I have just said, and large powers have been delegated. Rules regarding security deposit have also been relaxed and liberalised. Shri Mohan Swarup referred to that. Previously, the security deposits were not being repaid in time and naturally if a contractor is to keep his money locked up, the Government pays for it, he does not pay for it. I seldom come across a contractor who has paid anything from his own pocket. It is the Government that suffers. So, we have simplified that. We have also simplified our contract form, and we have appointed an additional arbitrator to look into the cases of arbitration, so that these cases can be disposed of as quickly as possible.

I now come to the direct construction programme undertaken by this Ministry. We have launched upon a big and massive construction programme. That programme, which is the direct responsibility of the Ministry, can be divided into two heads: office accommodation and residential accommodation. I shall first deal with office accommodation.

Delhi was built a long time ago. It has been expanding. I do not want to talk of the first war, but during the second war a large number of hutments and temporary shelters were put up. They are still there. The emergency has caused a very heavy strain upon us. We want big office accommodation for obvious reasons, for defence and all that. What we have done temporarily is to use these exhibition pavilions and grounds for our offices. The money that we have spent possibly will be repaid within one month, if one were to calculate the rent at which this accommodation is being hired.

We are very short of office accommodation. We have 21 lakh sq. ft. in old hutments; we had taken six to seven lakh sq. ft on lease and requisition as far back as 1940, 20 years ago, and we are paying rent for that. Even the Supreme Court has held and given a ruling against us that such requisition can no longer hold good. That was before the emergency started. Similarly, we hired accommodation, and now the rates are—it might shock

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the House—one rupee per square foot per mensem, that is on concession. It means if you have a room of 10 x 10 in Delhi and the Government wants to hire it, Government has to pay a rent of Rs. 100 per mensem. The figure is even going up to Rs. 1-8-0 per square foot.

So, we are now undertaking a big construction programme to fill up the gap in office accommodation of all these years. We want roughly about 34 to 35 lakh sq. ft. of office accommodation. My submission for the consideration of the House is that if I build a house or an office, it costs roughly Rs. 22 to Rs. 24 per square foot. If I take the usable area, leaving out the corridors, bath rooms and the veranda, it comes to about Rs. 45. So, with three to four years of the rental that we have to pay, we can put up a building. It is not magnificent buildings, as was stated day before yesterday. If I go to the market hiring property at exorbitant rates, that does not solve my difficulties. that does not add a single house or a single square foot of accommodation to the Government. But if I build another house, or an office, then I am adding on to the accommodation. The same thing applies to the Government servants.

We give them a house rent allowance. I know what their difficulties are. I know the difficulties of the sixty to seventy thousand Government servants in Delhi who have to hire accommodation. The rents in Delhi are fully known. They are very exorbitant. If a Government servant takes a house from me,—and their number is only 30 to 35 per cent —he has a certain sense of security that he has got a house. But we know what the difficulties are of the Government servant who does not have a house and has hired one from outside. So, what we are doing is this. I have sanctioned this year a big programme to the extent of Rs. 15 crores. I am not casting any aspersion on anybody. Far be it from me. But during the last five years, the period previous to 1962-63, the total construction programme sanctioned by this Ministry is only Rs. 7:5 crores, less than half of the programme that we have sanctioned this year. We have been acquiring houses or hiring them. In the interest of all concerned. it will be good if we have a massive construction programme. We are not putting up any luxury buildings, as was stated that day. These buildings should stand the test of time. If we are going to spend Rs. 40:45 per square foot on a multistorey building, we have to see that they answer certain specifications; we cannot and must not waive those specifications. Previously, we undertook only single storeyed constructions. It is said that the bungalows of Ministers are very spacious: there are a large number of servants' quarters and so on. That is not my fault; we never built them; the Britishers built them.

Shri Indrajit Gupta: But why do not two Ministers share a bungalow?

Shri Mehr Chand Khanna: I am coming to that. I was saying that we were going to have multi-storey buildings. Instead of building one house over two acres of land, we are now going to build at least twenty flats in eight storeys over that place so that there can be maximum and intensive utilisation of land in accordance with the master plan. A little while ago, I said that 60.000 Government servants are without houses. Very rightly Shri Gupta asked: why don't you share accommodation? It is a good thing. Who is to set the example? (*Interruptions.*)

Shri Indrajit Gupta: Ministers.

Dr. L. M. Singhvi (Jodhpur): It will create problems of co-ordination.

Shri Mehr Chand Khanna: I have to give a reply to Dr. Singhvi; I wish you had not anticipated or precipitated this question. I will not indulge in that at very great length. There are Government servants who are living here: they are in very great difficulty; they come to me every day. We have completed about 4,000 houses this year; we have about 5000 houses under construction. That number is small compared to the present demand of 60,000 houses. About office accommodation, 35 lakhs square feet are needed. I should be able to complete my programme within the next three or four years. Already we have sanctioned to the extent of 25 lakhs square feet; 9 lakhs square feet are under construction. But in the case of residential housing for Government servants I am sorry that I am not in a position to give the same amount of satisfaction for obvious reasons. First of all, land has to be acquired and then developed. Then, even if we construct 6000-8000 houses a year, it is a very big programme by itself, there is the problem of water, electricity and the civic amenities such as schools, hospitals, buses, etc. All these things have to be taken into consideration. It is no use putting up a house with brick and mortar and take a friend of mine who works in the North Block to a house eight or ten miles away and put him there. That is not my intention at all. We will intensify our construction programme in the nearest possible area. There is a charge against us that the Ministers, MPs, members of the Planning Commission, and the Public Service Commissions and the Judges of the High Court live very near to their place of office. It is unfortunate that people are taken too far out. I accept it. There is a lot of hardship in that. That is why we are going to take up intensified construction programme and multi-storey buildings.

I was talking about Government servants. We have a shortfall of 60,000 houses. Even if I complete 8000 every year, it is going to be a long time; it may take eight years or more. Till then if a Government servant living in a hired house were to come to me and say or ask me what am I going to offer to him, I am sorry to say that I can only say one thing. What I have done is this. I have liberalised the rules of allotment; I will allow them to share accommodation with a Government servant who is entitled to it. I have told him that I shall not penalise him because he refuses any allotment. We will also see that these houses which are in the general pool are not allotted to any outsider; whether he is a retired Judge or a retired Governor, if he is going to get any honorary job in Delhi and house is part of that job, the Ministry concerned shall have to find the house for him; he will not be a charge on the general pool. The idea is to conserve houses for the general pool. One of the newspapers remarked about this: grace and favour allotment. I have stopped that; there is no grace and favour allotment. We have avoided the system of priorities. Till now people did not have any inkling or idea as to when their turns were going to come. That creates a lot of difficulties for me. Some of my friends and colleagues are annoyed with me but now they are beginning to appreciate this step. we did away with this priority business, it is because that means nothing else but favouritism. I am prepared to look into hard cases: I do not say that I shall not look into them. If a man is sick or in difficulties or his mother is ill—all these things can be taken into consideration. But by and large our approach today is that we shall make these allotments on the normal basis; there shall be no priorities except in the case of serious illnesses.

I will touch one or two more points. My old Minister friend, Shri A. P. Jain is not here. He made scathing criticism about the sale of lands in Delhi and said that we were profiteering and wondered whether the Defence of India Rules could be applied against us.

An Hon. Member: Against Ministers.

Shri Mehr Chand Khanna: In a way he is correct because the land prices

[Shri Mehr Chand Khanna]

in Delhi have gone up very high. But Delhi is no exception; it is happening all over the country. I was in Bombay about a month ago and I wanted some lands for the construction of houses for Government servants. I saw the Finance Minister of Bombay, Shri Barve, an old friend of mine who was to a great extent responsible for the setting up of the township of Faridabad: he was then our Administrator and I do not think many people know this in this House. I asked him: can you give me this land? I think it was called Cuffe Parade. It was somewhere near the Oval, near Churchgate extension. The price was Rs. 1100 a square yard, he said. Why don't you allot that? I asked. He said: to save my neck from the charge of favouritism, being charged tomorrow that I have given this valuable land through the back door to A, B, C. or D. That is the policy that I have adopted in Delhi. I know land prices are high. But if I were to allot this land to anybody for Rs 200 or Rs. 300 per sq. yard, tomorrow there shall be a charge against me. I do not want to be named; I hope my name never comes up as it has come up in the House in certain other matters. Either it should be favouritism or it should be put through the public market. I put it up in the market, under the hammer. There is nothing wrong about it. Is it justified that in this poor country at the expense of the tax-payer we should subsidise housing for the richer class or the middle class or the class to which Shri A. P. Jain belongs...... *(Interruptions.)*

Dr. L. M. Singhvi: For the sake of old friendship.

Shri Mehr Chand Khanna: I believe in new friendship and I am coming to you presently. That is our approach. I am not responsible for freezing these 50,000 acres of land. I am not responsible for making certain co-operative societies eligible and certain co-operative societies non-eligible. I am not responsible for the implementation of the master plan or its formulation. The land has been frozen by the Chief Commissioner of Delhi. If it is asked of me whether it is right, I shall certainly say "Yes; you did the correct thing." That land is being developed by him and it shall be sold. I do not know what the procedure is, because the Minister in charge is the Home Minister. It, however, does create a certain amount of confusion as Shri Shiv Charan Gupta said the day before yesterday. I am the Minister of Works and I am also the Minister of Housing. I have to undertake the construction programme; the nazul lands are under me and the Government lands are under me. But if any land is acquired for development, that is done by the Chief Commissioner under the Ministry of Home Affairs. I have nothing to do with it. So, I do not plead guilty about it.

14 hrs.

The same is the case with the master plan. Historically, they may be all right,—the implementation of the master plan or the DDA being with the Ministry of Health. But functionally, from the functional point of view, I feel that they should come to my Ministry. I am not asking Dr. Sushila Nayar to give them to me, because I have already had brickbats and bouquets and now, in my old age and with bald head, I am not going to expose it further! That is not my idea at all. But what I am placing before the House is this: you take water, for instance. The other day, some hon. Members were getting very much agitated about water which has not reached the MPs' quarters. But that is dealt with by another Minister—the Minister of Irrigation and Power. Electricity is dealt with by the Minister of Irrigation and Power.

Dr. L. M. Singhvi: That is the difficulty with this Government The responsibility is shoved on to the others.

Shri Mehr Chand Khanna: What I am trying to say is this. With the growth of Delhi, there are problems coming up, problems which were not visualised, such as the growth of population, the way it is growing.....

Shri Sham Lal Saraf (Jammu and Kashmir): The responsibility must be owned.

Shri Mehr Chand Khanna: I am not disowning responsibility. My hon. friend was himself a Minister in Jammu and Kashmir and he knows what the responsibilities are. What I was saying is this. I do believe that this diversified control is not conducive to the best development of the capital. I accept that. I also feel that there should be a unified control. I also agree that there should be an agency which should deal with all these matters. I am not in a position to answer what I am going to do.

Dr. L. M. Singhvi: It is a very candid confession.

Shri Mehr Chand Khanna: I can assure the House about one thing. I will bring all these matters to the notice of the Home Minister. I wish his Demands had come later than mine so that the hon. Member could put these questions to him. But I wish to assure the House and you, Sir, that I shall take up this matter with the Home Minister. I earnestly feel that it is in the interests of the capital; the development scheme the *juggi-jompri* scheme, or the slum clearance scheme—there are autonomous bodies, and there are so many Ministries functioning. Taking that into consideration, I feel that we should do something in this connection.

I would not take much time, but I shall now turn to Dr. L. M. Singhvi's remarks.

An Hon. Member: New front!

Shri Mehr Chand Khanna: No. He talked about MPs' accommodation. I am glad that you are in the Chair, Sir. No allotments are made by the Ministry of Works, Housing and Rehabilitation in this regard. There is an allotment committee of the Rajya Sabha, and there is a sub-committee on accommodation—I do not know, and I heard of it for the first time today. But we do not make any allotment. Whether it is a flat or a bungalow, again it is done by the House Committee of both the Houses. The other day, objection was taken to the allotment of houses to a certain set of MPs—whatever name you call them, it is no concern of mine. But it was a terminology or a phrase which has come down to me from my predecessors and so I used it inadvertently the other day. Now, if some MPs are no longer MPs and if they have not vacated the houses occupied by them, I am taking necessary action to evict them, but I shall tell you that this Public Premises (Eviction) Act is a very dilatory thing. Then, again, pressures are also brought to bear on us by A, B, C.....

Dr. L. M. Singhvi: Reference was made to a special set of MPs—the distinguished MPs!

Shri Mehr Chand Khanna: I am not going to use the work "distinguished". I got a rap on the knuckle the other day! There are about a dozen houses which are placed at the disposal of the Minister of Parliamentary Affairs and he makes those allotments. I do not make those allotments.

Shri Indrajit Gupta: So, the cat is out of the bag.

Shri Mehr Chand Khanna: My job is only to evict. My job is not to allot.

Dr. L. M. Singhvi: That is what I was eliciting.

Shri Mehr Chand Khanna: If the food is bad in the hostel, the responsibility is mine. But if the caterer is to be appointed, then the Rajya Sabha House Committee or the Lok Sabha House Committee has to be consulted and their wishes taken into consideration.

श्री त्यागी (देहरादून) : इसके मानी यह हैं कि आप उजाड़ने वाले मिनिस्टर हैं बसाने वाले नहीं हैं ।

श्री मेहर चन्द खन्ना : आपने बिल्कुल दुरुस्त फरमाया । यह मेरी बदकिस्मती है । जब रिहैबिलिटेशन में था, तो बसाने वाला था, लोगों को मकान देता था । अब जब इस मिनिस्ट्री में आया हूं, तो चाहे मिनिस्टर हो या सरकारी मुलाजिम, हर एक को निकालना और उजाड़ना मेरा काम है, इसको मानता हूं, तसलीम करता हूं ।

Now, a pertinent remark was made by Dr. L. M. Singhvi. I feel that it needs an answer. The remark was about the accommodation that is allotted to Members of Parliament. I cannot divest myself of the responsibility as a Housing Minister, to provide accommodation to MPs and all those who are a charge on me. We have three or four types of houses here. There are about a dozen houses which are a class by themselves. Then there are about 160 or 170 or 180—I forget the number—houses on the Rajendra Prasad Road and Maulana Azad Road; they are old bungalows. Then there are the flats which were built on the North Avenue and South Avenue long before I took charge of this Ministry. When I examined the problem of shortage of accomodation in Delhi, I also applied my mind to the accommodation that is needed for MPs. I honestly believe and feel that if an MP is to discharge his duties, like any other Minister or any other person he has to be provided with adequate accommodation and it should be as near to Parliament as possible. If he lives in Vinay Marg or far away, it is going to cause discomfort and irritation, and the only person of whom he can think of and talk about is possibly the Minister. It is quite right. So, I looked into this matter and we found that we were short of about 150, 160 or 170 quarters. Presently, we have started the construction of flats near the Willingdon Hospital, in the North Avenue; they are under construction, and we have sactioned about 150 flats to be built on Rafi Marg. We have also sanctioned a new club for MPs It will be a good club. I am hoping. As I said, Members of Parliament should be provided with adequate accommodation. But personally I feel that if an MP is given a free house, it would be much better.

Shri U. M. Trivedi: That is what we want

Shri Mehr Chand Khanna: That will solve all my difficulties as Minister of Works, Housing and Rehabilitation. Let me tell you why I have made that suggestion. I have thought about it. Under the rule, an MP is to get a house, the maximum rent of which is not to be beyond Rs. 105. That is the rule, It is entirely a different thing: if he stays for 12 months he gets a 25 per cent subsidy. In the assessment of rent, we do not take the value of the land into consideration. We do not take developmental charges into consideration. We only take restricted departmental charges. In other words, we take only brick and mortar into consideration, and having done that, we assess the rent up to a certain percentage.

Shri U. M. Trivedi: After depreciation has gone to zero.

Shri Mehr Chand Khanna: I am saying exactly what you want me to say. That is the position. Taking Rs. 105 as the basis, you find that there are a number of houses the rents of which are more than Rs. 105. We scale it down to Rs. 105. Then again, when we give a concession of 25 per cent, we bring it down to Rs. 70 or Rs. 75. Then, let us take it that some additions and alterations are made to the house, say, the house occupied by Shri Tyagi. He will not misunderstand me. Supposing tomorrow he goes out and he is not returned by his constituency.

That house will be again allotted to some other M.P. Then the rent will again be reduced to Rs. 105. With the execution of the additions and alterations, the rent goes up to Rs. 115, but when that M.P. leaves it, the rent again goes down to Rs. 105. We cannot charge more than Rs. 105.

That being the position, I have to consider the construction programme or the space which is required for the M.P. for his legitimate needs. If he has to live for 6 months in a year in Delhi, he must naturally have his family here. For Mr. Tyagi it is all right; he is in an unfortunate position. But others naturaly want their families. If there is going to be a direct relation between the rent and the construction cost, I am sorry to say that we will not be able to do any thing beyond that. I would submit to you, Mr. Deputy-Speaker and through you to the hon. Speaker for his consideration, let this question be examined as to what should be the normal accommodation required for the M.Ps. That shou'd be decided and laid down. After all, the Parliament is a sovereign body and if it takes a decision, as Minister for Works, Housing and Rehabilitation, I have to see that the decision is implemented.

Shri Daji (Indore): 50 per cent of the accommodation is taken up by the Ministers.

Shri Mehr Chand Khanna: He is far wrong. Out of 750 the accommodation taken by the Minister is only 48 or 49.

Shri Daji: Not the total, but each individual case.

Shri Mehr Chand Khanna: There again Mr. Daji is quite wrong, because having worked for 11 months in a year in this Ministry, I know every inch of land; I know every file and I have gone through it. So, don't take up the question of M.Ps. and Ministers.

Shri Daji: Why not?

Shri Mehr Chand Khanna: My question is, whether he is an M.P. or a Minister, if a Minister is entitled to a free house, give a free house to the M.P. Or, lay down that this should be the accommodation which should be provided to an M.P. Lay down some yardstick. That accomodation being there, I should be told to build houses according to that specifiation. Let the Speaker take it up. Let the Chairmen of the House Committees of the two Houses be there. Let the leaders of the opposition groups be there. The Finance Minister should be invited and I should be also invited. Let us decide this question once and for all as to what accommodation should be considered adequate for the reasonable needs for an M.P. who has to spend a large part of his time in Delhi. I may tell Dr. Singhvi that I am fully in sympathy with the idea he put forward day before yesterday; I have nothing to say against it. If we can live in big bugalows, certainly Members of Parliament are also entitled to some kind of reasonable and adequate accomodation.

Shri Inder J. Malhotra (Jammu and Kashmir): But not free water and electricity; otherwise the same trouble will arise.

Shri Mehr Chand Khanna: The hon. Member is quite right. Whether you impose a ceiling upon yourself or whether you have free electricity and water, whether you have a free house like Ministers and have other amenities, it is a matter for the House to decide. I am not deciding that, because I have not even got the power to allot a House to any M.P. and I said so in the beginning.

Dr. L. M. Singhvi: Can you not add a few more larger houses to the pool for M.Ps.? This has also been the recommendation of the Housing Committee to the Government?

Shri Kapur Singh (Ludhina): The propriety of a matter is one thing and the legality is another thing. He is confusing the two.

Shri Mehr Chand Khanna: As I said, my attitude is very helpful, practical and forthright. My idea has been to help and serve my M.P. colleagues, because you are my Parliament; you are my sovereign body and if I have to remain and work, I can remain and work only with your willing cooperation. I want that cooperation and I do not want to do anything which is not considered right or proper.

A suggestion has been made by Dr. Singhvi and there is a lot of force in that. That will be a matter again for the Speaker and others to consider. If some more houses are to be added to the M.Ps.' pool it will naturally impinge upon the houses that we allot to the Government servants. Then, what would be the terms of allotment of those houses? I can understand this decision being taken, namely, to give 10 or 15 more houses to them, like to anybody else, under F.R. 45A. These matters may be considered. I can consider that. In all these matters, if any reasonable via media can be found, my M.P. colleagues shall not find me wanting in that direction.

I am sorry I have taken up so much time....

Shri Dinen Bhattacharya (Serampore): You have been dealing only with Delhi.

Shri Mehr Chand Khanna: As far as rehabilitation is concerned, the Deputy Minister dwelt upon it day before yesterday. I have nothing to add. He made certain categorical statements. One statement is that Dandakaranya scheme is being implemented and shall be implemented. The priority of Dandakaranya scheme is that of the displaced persons from East Pakistan who were in camps in West Bengal. They should go there. Thirdly, as regards the 10 per cent quota, we are not against it. There is the vacuum of 5000 families in Dandakaranya; whether 10 per cent go there from non-campers or from campers, is a matter of mutual adjustment. To that we have no objection whatsoever.

Then there is the refugee problem in West Bengal. That is being tackled. We are making allocations and funds. I do not know what is the difficulty. If Mr. Guha were here, I would have told him that I got the impression from his speech that he was speaking possibly in 1953 and not in 1963. We have spent Rs. 400 crores on the rehabilitation of displaced persons out of which over Rs. 200 crores have been spent on the rehabilitation of displaced persons from East Pakistan. We have spent Rs. 15 crores on the Dandakaranya scheme so far. Our budget for Dandakaranya is Rs. 4 crores next year.

Shri N. R. Ghosh (Jalpaiguri): Sealdah station is as dismal as before.

Shri Mehr Chand Khanna: Sealdah station shall remain a chronic problem. It has come up here many times. Sealdah station can only be cleared if an assurance is given by a certain section in this House that they shall not resort to squatting again. I have cleared it once, twice, but so long as Sealdah station remains a political problem, it can never be cleared. That is my feeling. If you say Sealdah station is bad, am I responsible for it? What is the number of non-displaced persons today at the Sealdah station? Let it be cleared once and for all. When we have spent Rs. 200 crores, a few lakhs is not much, but that is not the point.

Shri Y. S. Chaudhary (Mahendragarh): But who is responsible?

Shri Mehr Chand Khanna: I am not responsible for that. That is the only positive statement I can make

I have taken so much time. I am very grateful to all the hon. Members for the patient hearing they have given.

Dr. Ranen Sen (Calcutta East): That day I had raised the question of rentals of the industrial housing scheme as well as of the houses built under the Slum Improvement Act. The rents are too high. Is it within the power of the Central Government to do anything in this regard?

Shri Mehr Chand Khanna: Under the existing pattern, there is a certain amount of grant and subsidy laid down. We are sticking to that. We have no intention at the moment of liberalising it. But I intend doing one thing more. A demand has been made by some of the slum dwellers and industrial workers that these houses may be sold to them on a hire-purchase basis through easy instalments. I am following that proposal. If that can be done, with the money that I would make, I can plough it back for the construction of more houses

Dr. L. M. Singhvi: I would like to know whether the Government is inclined to frame a comprehensive national plan for slum clearance. We are told that the Government of India at the moment is responsible for only six slum clearance programmes. In view of the fact that the Prime Minister and many important people in the country have said repeatedly time and again that the State Government and local authorities are incapable of solving this problem, would the Minister tell us whether a more massive programme is likely to be undertaken in the foreseeable future?

Shri Mehr Chand Khanna: An enquiry committee was set up under the chairmanship of my colleague, Shri A. K. Sen, which looked into this question. They submitted a report, which was accepted. The approach was that we will take six big towns in India today. But it was left to the State Governments; if they want to extend the scheme beyond these six to some other towns in their States, they can do so. But, as I said in the beginning, firstly, the difficulty is about the law. That we are going to amend. Secondly, if I can get some more money—and for that I want the co-operation and the help of the hon. Members here—I may be able to achieve better results.

Shri Balmiki *rose*—

Mr. Deputy-Speaker: Ordere, order. I shall now put all the cut motions together to the vote of the House.

The cut motions were put and negatived.

Mr. Deputy-Speaker: The question is:

> "That the respective sums not exceeding the amounts shown in the fourth column of the order paper, be granted to the President, to complete the sums necesasry to defray the charges that will come in course of payment during the year ending the 31st day of March, 1964, in respect of the heads of Demands entered in the second column thereof against Demands Nos. 101, 102, 103, 104, 105, 144, 145 and 146 relating to the Ministry of Works, Housing and Rehabilitation."

The moton was adopted.

[*The motions for Demands for Grants which were adopted by Lok Sabha are reproduced below—Ed.*]

DEMAND NO. 101—MINISTRY OF WORKS, HOUSING AND REHABILITATION

> "That a sum not exceeding Rs. 82,12,000 be granted to the President to complete the sum necessary to defray the charges which will come in course of payment during the year ending the 31st day of March, 1964 in respect of 'Ministry of Works, Housing and Hehabilitation' '

DEMAND NO. 102—PUBLIC WORKS

> "That a sum not exceeding Rs. 31,62,96,000 be granted to the President to complete the sum necessary to defray the charges which will come in course of payment during the year ending the 31st day of March, 1964, in respect of 'Public Works'."

DEMAND NO. 103—STATIONERY AND PRINTING

"That a sum not exceeding Rs. 8,93,02,000 be granted to the President to complete the sum necessary to defray the charges which will come in course of payment during the year ending the 31st day of March, 1964, in respect of 'Stationery and Printing'."

DEMAND NO. 104—EXPENDITURE ON DISPLACED PERSONS

"That a sum not exceeding Rs. 7,69,85,000 be granted to the President to complete the sum necessary to defray the charges which will come in course of payment during the year ending the 31st day of March, 1964, in respect of 'Expenditure on displaced persons'."

DEMAND NO. 105—OTHER REVENUE EXPENDITURE OF THE MINISTRY OF WORKS, HOUSING AND REHABILITATION

"That a sum not exceeding Rs. 71,08,000 be granted to the President to complete the sum necessary to defray the charges which will come in course of payment during the year ending the 31st day of March, 1964, in respect of 'Other revenue expenditure of the Ministry of Works, Housing and Rehabilitation.'"

DEMAND NO. 144—CAPITAL OUTLAY ON PUBLIC WORKS

"That a sum not exceeding Rs. 7,27,83,000 be granted to the President to complete the sum necessary to defray the charges which will come in course of payment during the year ending the 31st day of March, 1964, in respect of 'Capital Outlay on Public Works'."

DEMAND NO. 145—DELHI CAPITAL OUTLAY

"That a sum not exceeding Rs. 7,22,33,000 be granted to the President to complete the sum necessary to defray the charges which will come in course of payment during the year ending the 31st day of March, 1964 in respect of 'Delhi Capital Outlay'."

DEMAND NO. 146—OTHER CAPITAL OUTLAY OF THE MINISTRY OF WORKS, HOUSING AND REHABILITATION

"That a sum not exceeding Rs. 8,32,60,000 be granted to the President to complete the sum necessary to defray the charges which will come in course of payment during the year ending the 31st day of March, 1964, in respect of 'Other acp tal outlay of the Ministry of Works, Housing and Rehabilitation'."

MINISTRY OF LAW

Mr. Deputy-Speaker: The House will now take up discussion and voting on Demand Nos. 75 to 77 relating to the Ministry of Law for which 3 hours have been allotted.

DEMAND NO. 75—MINISTRY OF LAW

Mr. Deputy-Speaker: Motion moved:

"That a sum not exceeding Rs. 37,25,000 be granted to the President to complete the sum necessary to defray the charges which will come in course of payment during the year ending the 31st day of March, 1964, in respect of 'Ministry of Law'."

DEMAND NO. 76—ELECTIONS

Mr. Deputy-Speaker: Motion moved:

"That a sum not exceeding Rs. 1,27,59,000 be granted to the President to complete the sum necessary to defray the charges which will come in course of payment during the year ending the 31st day of March, 1964, in respect of Election'."

DEMAND No. 77—OTHER REVENUE EXPENDITURE OF THE MINISTRY OF LAW

Mr. Deputy-Speaker: Motion moved:

> "That a sum not exceeding Rs. 3,94,000 be granted to the President to complete the sum necessary to defray the charges which will come in course of payment during the year ending the 31st day of March, 1964 in respect of 'Other Revenue Expenditure of the Ministry of Law'."

These Demands are now before the House.

Does Shri Priya Gupta want to move his cut motion?

An Hon. Member: He is not present.

Mr. Deputy-Speaker: 3 hours is the time allotted for this.

Shri U. M. Trivedi (Mandsaur): Mr. Deputy Speaker, Sir, the Ministry of Law is at present administered by a very able lawyer, and so there cannot be much criticism about the question of efficiency in his department. One or two points which have struck me about the administration of this Ministry, I will place before the House.

Sir, it is this Ministry which is responsile for the printing and the publication of our Constitution, the various central Acts and the various statutory orders. Very recently, I had an occasion of going to the Kitab Mahal where all our publications are sold. I found that the sale of our Constitution published in the various languages is at a standstill. We had so many amendments. We are now running into the sixteenth amendment, and it will soo be put on the anvil. I find that—barring, of course, the Constitution in English and Hindi—the amendments are not to be found in our Constitution in the various languages. I fail to understand the reason behind it. In the case of the publication in Sanskrit, which is at a stand-stil, except for the first amendment no other there cannot be any reason for this slackness in the publication of our Constitution which is the basis for all administration in our country.

The other question that comes to my mind is the functioning of the Bar Councils Act. We all hoped that a very nomogeneous and uniform administration of the Bar of India would commence with the bringing into force of the new Bar Councils Act. Unfortunately, up to date the Indian Bar Councils have not started functioning. One after the other, patch-work amendments have been put forward, and the uniformity that was expected long ago is still lacking. We are far behind it. It is high time that we put these Bar Councils on a sound footing and have this profession of lawyers put at a place which it deserves in the administration of the country. Today, it is a profession which is being looked down upon by several persons, especially the executive officers who always run down this profession. It may be due to the fact that there are some black-sheep in this profession which also must be checked; but, at the same time, the non-functioning of the Bar Councils in a proper manner is responsible for the present position of the Bar in India. The net result has been that not only the members of the Bar have suffered, but on account of it the recruitment to the higher judiciary also has been hampered to a very great extent. I have always noted with regret that some of the people recruited to the higher judiciary have been recruited because of their political affiliations.

The third thing which strikes me in this administration is that we are having the Income-tax appellate tribunals controlled by our Law Ministry. These Income-tax appellate tribunals are concentrated in Delhi and Bombay. The report says:

> "The Tribunal constituted under the Income-tax Act, 1961, has twelve Benches, three each at

[Shri U. M. Trivedi]

> Bombay and Delhi, two at Calcutta and one each at Allahabad, Hyderabad, Madras and Patna."

I cannot see the reason why three Benches are stationed at Delhi. There may be some scope for saying that Bombay is a town with a population of about 41 lakhs and, therefore, three Benches are required to be stationed there. But the same cannot be said about Delhi. Why is it that all these Benches are posted here? Why should not one be stationed at Indore and another at Ahmedabad, so that the people may not have to run up long distances from where they are? Commercial towns like Indore and Ahmedabad must get the advantage of having the tribunal nearer at hand.

Then I come to the question of the Election Commission. This is also a body which is controlled by this Ministry. The Election Commission has a very important duty to perform. It, rather, possesses the plenary powers so far as the question of election in our country is concerned. But in the administration of the Representation of the People Act, where the constitution of the election tribunal is concerned, it has been noted that there is some sort of discrimination being practised about the challenge of election *vis-a-vis* the candidate whose election has been so challenged. If he happens to be just a man from the Opposition, even a junior-most District and Sessions Judge is appointed to conduct the case. He may be a man with very little experience of the election law and a good deal of bungling and heart-burning is caused, with the net result that before the election matter is decided one way or the other a lot of time is wasted and the man concerned does not get justice. But where the election of an important person of the ruling party is challenged, it is generally a retired Judge of the High Court who is appointed to deal with the case. Thus, a man in the Opposition gets himself diffedentiated only because he happens to be a man in the opposition and he is not put on a par with all those who have been elected either to this House or to the Assembly. I will, therefore, suggest that a uniform method of appointing these Members to the Election Tribunal be adopted. It may be that if District Judges are to be appointed for the State Assemblies, then, retired High Court Judges must invariably be appointed where the election of a Member of Parliament or a Member of this House is challenged. There must be no distinction and if there is a differentiation between the two, a reasonable indication must be there why this differentiation takes place. I will, therefore, say that this aspect may be properly probed so that a good deal of criticism that is offered about the administration of the Election Tribunals and the function of the Election Tribunal be brought to an end.

The question, again is, that the Election Commission in allocating symbols to the various parties, even after having acted with the best of motives, has allotted such symbols which have been the cause of a good deal of bickering one way or the other. The symbol of lamp has been taken to be a religious sysmbol somewhere. The symbol of a bull is taken at another place to be a religious symbol. At another place, the symbol of a star is taken to be a religious symbol. At a fourth place, a banayan tree has been taken to be a religious symbol and so on and so forth, causing a good deal of annoyance to those candidates who, with all the merits that they possess, were successful at the election, facing their election being challenged and set at naught simply because of the allocation of symbols of a type which the Election Commission had chosen to allot. I will, therefore, say that our Minister who is a very able lawyer, will look into this aspect so that these small affairs may not lead to the setting aside of election of persons who have fought the election very fairly and squarely only on the ground of these technical things which are merely the result of the provision of symbols for which they themselves have never been responsible. It is said by the Supreme Court and repeated often in various courts that the election of a successful candidate must not be lightly set aside. But, certainly this dictum is not followed with the net result that Tribunals and even High Courts have gone to the extent of treating these highly technical matters to be such as to enable them to lightly deal with elections and cause more heart-burning and trouble to those who have been elected than to those who have lost the election.

In other respects, of course, I will submit that it would be much better that the administration of this Ministry is extended to deal with the appointment of the High Court Judges also. It is high time that this aspect of the appointment of High Court Judges must not be left in the hands of the Home Ministry. It should not be dealt with as if it is an executive function to be performed. It must be dealt with as if it were a legal function to be discharged with a dispassionate view, in a dispassionate manner, in a learned manner, by a learned man who understands the implications of the law and also can appreciate for himself the abilities and the calibre of the persons to be appointed.

With these words, I conclude.

Shri Daji (Indore): Sir, speaking on the Demands of the Ministry of Law, the fiirst point that I would like to make is that the Law Ministry, headed as it is, by an eminent lawyer, should be much more dynamic than it has been. I submit that it should be regarded as a rpime duty of the Ministry to maintain, further and strengthen the rule of law, which is one of the bedrocks of the type of democracy we have built and we are trying to rear. In fact, I feel that our democracy stands on four legs; the Constitution, the Executive, the Legislature and the Judiciary. I am pained to say that not only much has not been done to improve matters, but there is a slow, imperceptible and perceptible trend towards the weakening of the rule of law. This trend hasnot has not ben arrested. Despite the reports of the Law Commission, this trend is visible in umpteen number of minor and major developments in the country. If the Law Ministry is the custodian of the rule of law as, I submit, it should be, then, energetic steps should have been taken in this direction. Slowly we are undermining the very respect for the judiciary and the Constitution itself. I make bold to say that it will be a very dark day and a sad day for India when the judiciary ceases to be respected as it has got to be respected. If the present trend continues, I am afraid, that day is not far off. I am speaking with great pain and with responsibility, because I also belong to that profession. I do not want to cast a general slur on the judiciary. I do not want a general reply from the Minister. I have the greatest respect for the judiciary. Apart from the respect, we must face the facts as they are.

Now this is happening in various cases. The other day, we read the judgment of the District and Sessions Judge of Calcutta. The judgement enshrines both the danger and the guarantee. I have the greatest respect for the judiciary. The District Judge was constrained to remark that a respectable citizen of Calcutta, a professor of Sanskrit, has been arrested, unduly denied bail, handcuffed, dragged in the streets of Calcutta and his challan has been postponed from day to day. In releasing the gentleman on bail, the Judge was constrained to remark that the police and the magistrates seemed to have behaved in a vindictive way. The processes of law are not for vindictive action, but for redress. Maybe, normally our judiciary functions in a good way. But, the test comes at a time of crisis. Some instances only we can point out. It is good that the District Judge passed this remark. If in the city of Calcutta this could be done.

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persons could be kept on without trial and challans could be postponed from week to week, it shows the trend. I think it is time we stop this trend with a heavy hand.

I would like to dwell on one more point. The Ministry seems to be functioning in a way which indicates, let the sleeping dogs lie. I do not understand why, such an eminent lawyer, the Minister should not show greater initiative and drive. It is an old adage that justice delayed is justice denied. But, delay has lost all meaning in Indian courts. Years and years, the litigation goes on; the same lumbering juggernaut of the British days continues.

Shri Tyagi (Dehradun): Worse than that.

Shri Daji: Worse than that. If justice delayed is justice denied, costly justice is no justice. Nothing has been done to reduce the cost of justice. Justice is almost prohibitive even to the common man—I am not talking of the poor man—even to the common man. Time and again the question has been mooted, let us revise our laws. Some of the eminent jurists and Bar associations have pleaded that there is no justification for charging *ad valorem* court fees on appeals. Why paralyse the litigant for the mistake of the judge? You say that it is refunded if he wins, but by the time he reaches the High Court or the Supreme Court he is nearly finished.

Shri Tyagi: Lawyer's fee must also be controlled.

Shri Daji: I agree. Both should be controlled.

Shri K. C. Sharma (Sardhana): It is controlled.

Shri Daji: It is said that it is a State subject and let the State Governments do it. I do not know why this Ministry should shirk its responsibility as far as State subject is concerned. Unless something dynamic is done about this matter, I must say that we will come to a sorry pause.

One word about the Eelection Commission. I regret that this time the Election Commission has departed from the very healthy practice which it has followed previously, namely, the unanimity which it always aimed it. Consultation with the opposition parties was always done and their wishes were respected in the matter of election. But, this time in the case of bye-levtions that have come up now, this has not been followed and this has been departed from. I think it is a dangerous portent. Though the Law Minister was good enough in the other House to say that he would release all those who were contesting elections, it is rather far-fetched to imagine that if only those persons who fight the elections were released the elections can be free and fair, if those hundreds of other workers can be arrested and kept inside jails the elections can be free and fair, if emergencies continue and the Defence of India Rules continue, if the sword of the Defence of India Act continues to hang above our heads, the elections can be free and fair. I think it is perverting the very meaning of the term "free and fair elections". In this respect, the Election Commission did not accept the views of the opposition parties this time, and this is a very dangerous portent. If this democracy is to work fairly, like Caesar's wife it should be above suspicion in this matter and the views of the opposition should prevail even more than the views of the ruling party, especially in a matter like election.

Then I come to another vital subject. One of the functions of the Law Ministry is the function of advising other Ministries and, certainly, ordinarily we cannot expect any Ministry of the Government of India to depart from the advice tendered by the Law Ministry.

Shri K. C. Sharma: Not necessarily.

Shri Daji: I said "ordinarily". In reply to a question put by me to the hon. Finance Minister on the 14th of March, Unstarred Question No. 756, I was pained to get the following reply, and I am speaking about it in order to give an opportunity to my hon. frnend, the Law Minister, to clear up the possible slur that the Finance Ministry seem to have cast on the Law Department. In other words, the ball has been thrown to your court, in your absence, I want to pin-point it before the House, before the Minister, and seek an explanation for it.

My question pertained to the Report of the Auditors into the working of two insurance companies, the New Asiatic Insurance Company and the Ruby Insurance Company and the action taken by Government thereon. The reply was:

> "The Report was thereafter examined in the light of the explanation received from the Company in consultation with the Ministry of Law and it was decided to appoint two directors on the Board of Directors of the Company under the powers vested in the Government by section 48C of the Insurance Act."

The Minister of Law (Shri A. K. Sen): When was this reply given?

Shri Daji: Allow me here to pause and say that the Act empowers the Government to appoint two directors only if the affairs of the company are so mismanaged that public finance is in danger. So, this was done.

Shri A. K. Sen: Was it on the 14th March of this year?

Shri Daji: Yes, this year. It further says:

> "The Report of the Government Directors on the alleged malpractices was received and examined in consultation with the Ministry of Law. On the advice of the Ministry of Law it has been decided not to take any further action."

Why? Why was this advice given by the Law Ministry? If the Law Ministry, headed by an eminent lawyer like my hon. friend, the Law Minister, if it has examined the report, the most damaging report, by the auditor, why was this advice given? I would like the Minister to tell us this, to take us into confidence. If I may just speedily recall, the investigations began after a demand on the floor of the House by the late Shri Feroze Gandhi, the auditors were appointed after disclosures in the House, the examination of the auditor's report was again questioned on the floor of the House and it was stated "it is under consideration". Now the Finance Minister comes and tells us that it was on the advice of the Law Ministry that no further action was taken on the report. And I want to clinch the issue here. What is the report? It is not just a technical breach. The report says that books were not made available to them.

Shri Ansar Harvani (Bisauli): Is it a public document?

Shri Daji: It is not a public document, but I possess it. I will read it. Let the Minister contradict it.

Shri Ansar Harvani: Then it should be placed on the Table of the House.

Mr. Deputy-Speaker: Yes, if it is going to be read.

Shri Daji: Sir, I lay it on the Table of the House.*

Shri A. K. Sen: It would have been much better if the hon. Member had intimated to us that he is going to raise it, because it deals with a case dealt with by another Ministry. In any event, I have sent for the papers from the other Ministry because....

Shri Daji: I can give the copy.

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*Placed in Library, See No. LT-1071| 63.

Shri A. K. Sen: Apart from the report, I have to go through the file.

Shri Daji: I am attacking only the advice of the Law Ministry. Why was this advice given on the face of this report? The Report says:

> "In concluding our report, we observe that there was a regular conspiracy amongst the staff and officers of the Head Office and Branches of the New Asiatic Insurance Co. Ltd. to falsify the books of accounts systematically and manipulating profits from year to year for the purpose of showing a rosy picture before the shareholders as well as the public—— It would also appear from Exhibit No. 9 that Shri L. N. Birla HAD knowledge about the suppression of losses made in 1952. It will not be out of place to mention that the loans and investments were mostly under instructions, from Shri L. N. Birla........the company has wilfully manipulated books of accounts from year to year for the purpose of suppressing losses up to 1956 which, so far as known to us, amount to Rs. 18,15,224 and the Balance Sheets for the years 1952 to 1956 do not represent the true and correct state of affairs of the company......that the company has withdrawn large sums by manipulating the accounts which so far as known to us amount to Rs. 11,79,705-6-6.... that the books of accounts were falsified for the purpose of converting loans to investments in order to circumvent the provisions of Section 29 of the Insurance Act, 1938....that the commission accrued on business of allied concerns of "Birlas" has been diverted in different names and used otherwise (refer page 94 of the report)....that the company has wilfully diminished its Life funds......It would appear from Exhibit No. 131 to 138 that the commission of "Birla Bros" business was being booked in the name of different agencies and the sums utilised in payment of private commission."

This most damaging report further goes on to say:

> "That the company has been very liberal in settlement claims especially with the allied concerns of 'Birlas' and has paid claims, which are not payable.... That in some cases, commission accrued to 'Birla Bros (Private) Ltd.' has been diverted to different names without sufficient reasons——that the company has violated the provisions of section 5(1)(a) and (c) of the Exchange Control Regulation Act of 1947.... that the company has wilfully submitted returns to the Controller of Insurance which are false in material particulars knowing them to be false."

Then there is a schedule appended to the Report, which shows the damaging misappropriations from year to year. It says:

> "The following is a chart showing salaries paid by vouchers in the manner shown above and not appearing in salary register by Bombay branch:

	Rs.
1953	81,200
1954	46,025
1955	58,925
1956	1,37,395
1957	1,42,512
1958	1,18,876."

In all, the total comes to Rs. 5,84,833. In the face of this report of the auditors appointed by the Government under the Insurance Act, when the Government themselves considered this report and thought it fit to appoint two of their directors in the company, how is it that the Law Ministry advised that no further action should be taken against the company? As I said when I initiated the debate, it is such actions which cast a doubt on the very foundation of rule of law. One of the cardinal principles of rule of law is that all men are equal before the law. Let it not be said in the country that a private company of Birlas, a powerful house, with the backing and influence of the State and the democratic machinery can pass muster after swindling lakhs and lakhs of rupees of public money from an insurance company, which is a fiduciary company—it is not an ordinary private company; it is an insurance company, which is a fiduciary company—a company where lakhs and lakhs of rupees are misappropriated, false accounts are shown from year to year knowing them to be false, if books and accounts are not shown to the auditors appointed by Government, if vouchers are not there to the tune of Rs. 5 lakhs, if commissions are paid to the alleged concerns of Birlas which ought not to have been paid, if damage claims are paid to the parent organisation which ought not to have been paid, if in spite of doing all this, such companies, just because they belong to the powerful house of Birlas, can escape with just two directors being appointed on the board by the Government, under the cover of the advice of the Law Ministry. I was prepared for this fight with the Finance Ministry but, in the face of this reply, in the face of this shield he has taken of the Law Ministry—he has thrown the ball into your court; now, it is for you to throw it back to the court of the Finance Minister or shoulder responsibility—it is for the Law Ministry to explain to the House how it is that a department charged with the maintenance of rule of law, a department charged with the responsibility of proper administration of laws and furthering the cause of justice has itself become an instrument of furthering the whitewashing of an important fiduciary concern which collects lakhs and lakhs of rupees as premia from the common people and allow that premia to pass on to the controlling interests of the Birlas. Such things are happening and such things subvert the rule of law, as I said. It is unfortunate.

Shri A. K. Sen: What is the name of the company?

Shri Daji: They are the New Asiatic and the Ruby General Insurance companies.

Let us come to the other reports. I am told—I am not sure—that the report lay with the Ministry of Law for months, not with the hon. Minister but with the Ministry. Now, in a democracy the hon. Minister is always responsible for what happens in his Ministry. Then, at a certain time a preposterous suggestion was mooted that another Supreme Court Judge should be appointed to go into the matter again. I would certainly express my happiness that that suggestion was not followed. No Supreme Court Judge will ever accept any inquiry commission if another Supreme Court Judge is to sit in judgment over him. But all this took months together and again the report has been put for consideration of two other eminent persons. I do not know when this sub-committee will report back. Perhaps we shall have to take to another strong interpellation in the House to get the report.

Shri A. K. Sen: I may tell the hon. Member that it is not a fact that this report was ever considered by us except for the purpose of advising Ministry whether there was any legal disability in placing it on the Table of the House. That is all.

Shri Daji: Did it take some months to decide that?

Shri A. K. Sen: Of course not. His facts unfortunately are not correct.

Shri Tyagi: Shall I take it that it was never referred to you for action against the company?

Shri A. K. Sen: It was referred to the Attorney-General.

Shri Daji: Therefore what I was saying is that it is these things that subvert the spirit of the rule of law. Therefore I submit that this Ministry should not only take energetic steps to maintain the normal processes of law but should with all imagination and initiative create, maintain and further an atmosphere where the citizens can feel and say that high or low, howsoever mighty a man may be, he is not immune from the ordinary processes of law. Unless the Government itself and this Department set a bold example in this matter we are coming to a sorry state of affairs.

Shri K. C. Sharma: Mr. Deputy-Speaker, Sir, I pay my compliments to the impartiality, independence and intelligence of the judges of India. I have had reports of the highest courts in the various countries and I do not find anything lacking either in the calibre or in the impartiality or independence of our judges. However, I will point out that the conception of law has not changed in our country as it has changed all over the world. Here, I may read out from a famous writer, Oswald Spengler, who says:

> "It must be emphasised—then and with all vigour—classical law was a law of bodies, while ours is a law of functions. The Romans created a juristic statics, our task is juristic dynamics. For us persons are not bodies but units of force and will and therefore not bodies but aims, means and creations of these units. Classical relation between bodies was positional but relation between forces is called action. The future will be called upon to transpose our entire legal thought into alignment with our higher physics and mathematics."

Further, the great writer points out that the judges and the juries should have an immediate, extended and practical experience in economic, political and social life, an exact knowledge of the various systems of laws and legal history and the development of the law and the knowledge of classical jurisprudence as well as its modern functional development.

In democracy the law and the lawyers are the dominant structural factors of society so far as the institutional structure of the society is concerned. A modern democratic society, much more a welfare state, has two strong pillars, namely, the lawyer and the judge and the scientist and the engineer. One section builds the material side and lays the bricks of the great edifice whereas the other makes the arrangement as to where the table is to be placed, where the books are to be kept and what pictures are to be put. So, a lawyer gives shape to a society while the engineer and the scientist provide the material.

I will draw attention to what Harold Laski has said—and I have said it so many times. I do not like the present arrangement in which the Home Ministry appoints or recommends the appointment of judges. The Ministry of Justice should be responsible for all processes of judicial administration and for justice being done between citizen and citizen and between the State and the citizen. He says:—

> "The Ministry of Justice is an urgent requirement, with adequate facilities for clinical research into the law. It should not be staffed wholly for encouraging inquiry into legal administration and its improvement as the Ministry of Health exercises in its own field. To it should be transferred the responsibilities now exercised by the Lord Chancellor and the Home Office, including the latter's jurisdiction over prisons and police."

Another point raised is regarding the education of law. He says:—

> "The universities should be encouraged, through opportunity

> afforded by the powers of the University Grants Committee....

University Grants Commission, in our case

> "to specialise in legal research, especially of a 'clinical' kind. For this purpose the development of a closer connection between law and the other social sciences in the universities is of the first importance. Steps should be taken, through appointment to the minor judicial posts of the country to bring the academic teachers of law into direct contact with its practical administration."

I may add that ours is a changing society, much more so so far as the Indian society is concerned For centuries, perhaps for thousands of years, the underdog in India could not dream of equality. There was no law for him; there was no low against the Brahmins who could do a wrong to the Shudra and there was no law for a Shudra to have his rightful claim as a human being. After thousands of years the Indian Constitution gave equal right to all citizens. Equal right to the first-class citizenry has been provided.

I beg to submit with all the force at my command that it is a fortunate moment that a young lawyer, a brilliant lawyer, is in charge of the judicial affairs and he can exercise influence to claim what is embodied in the Ministry of Law and not to be a mere Law Minister as he is today. I do not accept that the Home Minister should recommend or that a Governor should recommend the appointment of judges to the Supreme Court. We have to accept the fact that the political party emerging out as it is—I belong to the ruling party—does not constitute a right sort of machinery to recommend judges. The judiciary should be above party politics. It should be above Government influence. Justice is divine not only in a matter between citizen and citizen or between State and citizen, but even to protect and to guarantee the security of a country. When the brave soldiers died more than two thousand years ago, the Athenian soldier told the Spartan that passed by, "Tell Sparta we die under thy law". The Greek soldiers, the Roman aristocrats died and sacrificed their lives not for the lump of earth, but for their country's glory, for the sake of their law, for the system of their law, for the structure of their society.

15 hrs.

So, I would beg to submit that even now if the brave soldiers are to die on the mountains of Himalayas, they are not doing it for the lump of earth, for the holy waters of Ganges, but they die for a legal norm, for a legal order in which they themselves are below to nobody else, inferior to nobody else. They have a right of the first-class citizenery and they look with hope and faith to their prosperity, to the fulfilment of their destiny and to the development of a land with freedom and peace. This is the inspiring impulse that compels the man to offer his life. Things have changed now. I would again beg of the hon. Minister, whatever the limitation, to take things which the moment calls for and to take them seriously and see that the people are given justice. I have paid my highest tribute to the honourable judges and I found them much better, much superior to many of the great judges in other countries.

Sir, I would like to point out one sad case and ask the hon. Minister to see whether this should or should not be possible in time to come. Well, in a village, the peasant proprietors held the property. An usurer moneylender came in and he acquired certain property. Then, it so happened that there was a village quarrel. Usually, when the money economy comes in conflict with land owning classes, there is conflict. Nine murders were committed. I was one of the prosecuting lawyers and the case got prolonged for six months and a number of people were sentenced to death and some other was given a

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life term imprisonment. Then, the case went to the High Court. One man was sentenced to death and then that man's sentence was remitted from death to life imprisonment and in three or four years the man came back. Now, what happened was that the gentleman who was responsible for this—every rogue who has influence is a gentleman—got the man off after three or four years and that gentleman was given a high diplomatic office. I would beg to submit to the hon. Minister that I am here on behalf of those very peasants and I was one of the men who, whatever the consequences may be, fought for the present change. The man who denies justice to the man, who produces goods on which the Government is based, is certainly a rogue. I would submit to the Law Minister that one of the sections of his Ministry should see, where the under-dog comes against, what is called, the privileged classes, what sort of justice he gets. This is the problem. All over the world, this is the problem. The people who rule have the rights and others who work have not many rights whatsoever. The Constitution gives the equal right to everybody. The judges also acknowledge it as a right. But there is something in the administration that the poor man cries hard but gets no justice. So, I would beg him to have a section in his Ministry which should see that the poor man gets justice. I again say, when a millionnaire comes, there are questions of doubt, in whatever court it is. It is said, this is a doubtful piece of evidence and all that. But when the poor labourer comes or the poor peasant comes, there is no doubt in any evidence against him. There may be a doubt in evidence for him, but never against him. The poor man is sentenced. But the privileged classes are not sentenced. I again repeat, there is juristic dynamics, the functional and dynamic relation between man and man. With regard to this, I would ask how many cases have been remitted by the President or where the pardon has been given? Has Nanavati's case been examined in this light? A man goes on the service of the nation and his wife is seduced. A wrong is not done to the individual only. A wrong is done to the nation. Yet that man has been sentenced. His sentence has not been remitted. What is the law? The law is the will of the people. Look to the cinema pictures. What do the people cry when Nanavati case is exhibited? They cry that the murder was right. They do not cry that Nanavati was rightly sentenced to transporatation for life. If the people's voice has no value in your Ministry, then what voice will it have?

I would lastly submit that the conception of law has changed; the conception of justice has changed. Now you have to look to the creative power, to the function and dynamics of jurisprudence and not to the positional relations of State and citizen or between citizen and citizen.

With these words, I support the demands.

Shri N. R. Ghosh (Jalpaiguri): Mr. Deputy-Speaker, Sir, I have only a few words to say. I find that the report contains only seven pages. I am sure that this does not certainly reflect the importance of the Law Ministry or the activities of the Law Ministry. But I do feel that this Ministry does not fill the hands of the Law Minister. He ought to be given more work if the country wants to fully utilise his intellect, his energy and his erudition.

I would now refer to one small thing. I notice that there are two branch secretariats under this Ministry, one at Bombay and the other at Calcutta. In regard to the branch secretariat at Bombay, we find that:

> "All litigation work in the High Court at Bombay on behalf of the

> Central Government is the responsibility of this Branch which also exercises general supervision on litigation in subordinate courts.".

But I find that the branch secretariat at Calcutta has got absolutely no power of supervision over how litigation is conducted in the subordinate courts; especially, this branch secretariat does not give legal advice to the railways and the income-tax departments. I am not speaking about the income-tax, but I have got some personal knowledge about the railway cases. In West Bengal, especially in the North Bengal area, railway cases are absolutely mismanaged. The Department does not appoint good lawyers, and the plaints are not properly drafted, and proper evidence is not given, and the cases are not even conducted ably. All these things come up in the appellate stage, and sometimes there is remand and sometimes there is no remand. But it is a scandal that so many cases of the railways have been lost. I do not know how much loss in money is incurred by the Central Government on account of the mismanagement of the cases of the railways. I do not know why when the branch secretariat of the Law Ministry can have general supervision of litigation in the subordinate courts in Bombay, this Ministry cannot give legal advice to the railways or have the power of supervision over how litigation is conducted in the subordinate courts in respect of the railway cases. The Law Minister should immediately look into this matter.

The second thing which intrigues me is the penultimate paragraph of the report, namely the enquiry committee on Muslim Law. Regarding the personal law of a particular community professing any religion, the scope of legislation is limited. It is subject to article 25 of our Constitution. According to that, the personal law can certainly be amended if it conflicts with morality and if it conflicts with the welfare of the State. As a matter of fact, religion can be professed and propagated, provided you do not stand against the welfare and the progress of State and the moral code. If there is a conflict between the two, religion must surrender. Under this provision and in accordance with this limitation of law as laid down in the Constitution, already, we have made inroads into the Hindu law, and there have been drastic changes in the Hindu law, changes in the Hindu matrimonial law, the law of inheritance and many other things. I have no grievance against that. In amending the Hindu law, you roped in as in the law also the Buddhists, the Jains and the Sikhs etc. But there are a large number of Buddhists all over the world. Did you have any special enquiry committee in that regard for the Buddhists, just as you are doing now in order to examine the changes made in the countries which are predominantly Muslim? You have legislated in respect of the 'Buddhists' also in those amending laws. But did you set up any committee to examine what changes have been made in Ceylon or in Japan or in Burma—I am not speaking about the Chinese, because Confucious, Gautama Buddha and Lao Tse have been banished from China? You did not do any such thing then.

Even in respect of the Christians what did you do? There was an old Act of 1872 called the Indian Christian Marriage Act. You sent it to the Law Commission, and the Law Commission dealt with it elaborately and recommended drastic changes. The Law Minister fully knows that there was a dissentient note by Mr. Satyanarayana Rao, I believe, and, as a matter of fact, there was vital change made here about *lex loci celebrationis vis-a-vis lex domicilli*. As a matter of fact, that was a point which went to the very root of the matter, because according to domicile the validity of a marriage is normally considered irrespective of where the marriage is solemnised. Of course, a sovereign

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country has got powers to make any law, but then, they do consider the principles of private international law. Was any study made of the private international laws, when you made these drastic changes in the way the Law Commission has recommended these drastic changes? Did you set up any enquiry committee for that purpose?

I do not know what action is to be taken by this proposed committee. It smacks of a sort of complex, to which we are subject in dealing with a particular community of a particular religion. You do not feel the same complex when you deal with the Christians or the Hindus. For example, polygamy and polyandry are definitely against the morals of a society in any country. Under article 25 of the Constitution, you are perfectly entitled to legislate, and you can certainly stop polygamy and bigamy as you have done in the case of Hindus even in the case of the tribals, hill tribes, and even in case of some other people among whom even polyandry was alleged to be in vogue. There was no special committee formed then, and no necessity was felt. But in this particular case, what was the necessity for this special committee? I do not know what exactly the implications are. Will there be a world tour? Will the Committee go to Algeria, Morocco and Egypt and other countries which are Muslim countries, in order to know what changes have been made there? What is the necessity? There is only a limited scope for amendment and for legislation, namely that only if it is against the basic principles of law or morality or if it actually conflicts with other principles of law according to which certain things are offences, you can legislate. But what is the good of asking and consulting these Muslim countries to find out what changes they have made? I believe that their conditions may be quite different.

Shri Tyagi: The laws of these Muslim countries could be studied here.

Shri N. R. Ghosh: That is true. But there was no necessity felt for such a thing when we were dealing with the amendment of the Christian law, and the Law Commission did it and they studied the entire law of the whole world in regard to Christians. There was no necessity felt for any special committee? So, that is what intrigues us now. I find that this step is against the integration of our nation. If you want to do certain things if a particular community is involved, then that very moment you are underlining a particular religion and you are underling a particular community. That is the sort of complex which has developed, and that must be put down.

I do not know whether the Law Minister has considered this question from that aspect. I am sure that if he closely considers this, if he reads between the lines, he will find the inherent mischief.

We are a sovereign country, and when we can legislate for Hindus, for Christians, and for everybody else who is an Indian, why should we go out of the way to Egypt, Morocco and other Muslim countries to study what they have done? Why do we care for them? I believe that it is a sort of an apology involved in it. The approach is apologetic, and it amounts to saying, 'Oh, we are going to make certain changes; you should not marry four wives! In Egypt, you see that it has been stopped'. Why should there be this kind of apologetic approach? That is something which goes definitely against the integration of the nation. We should forget that people are Hindus, Mohammedan or Christians. I would welcome that day when there will be one single law for all persons here. But till then, the personal law, subject to known principles, should be respected. Under the Constitution, you cannot touch the personal law easily or lightly. There

are certain limitations imposed, and we have to work within those limitations, and we have to read those articles and work according to them. We cannot do what is not allowed by the Constitution. I believe that this proposal to appoint a small committee to examine the changes made in the countries which are predominantly Muslim, is disgraceful. It does not befit a sovereign country like ours. It actually shows a complex, a definite complex, an apologetic approach, as I said. I believe this matter will be taken into consideration by the Law Minister. I am sure he will realise its mischief.

श्री यशपाल सिंह (कैराना) : उपाध्यक्ष महोदय, मैं ला मिनिस्ट्री के बारे में कुछ ज्यादा न कह कर सुझाव ही देना चाहूंगा ।

सबसे पहला सुझाव मेरा यह है कि उत्तर प्रदेश में जो कोर्ट-फीस है, जिस के नीचे जनता दबी जा रही है, वह खत्म होनी चाहिये । एक आदमी मेरा सिर फोड़ता है, मेरा सिर टूट जाता है, खून बह रहा होता है और मैं फरियाद लेकर जाता हूं और तब मुझे यह कहा जाये कि कोई फीस लगाओ यह अमानवीय है । जिस के साथ जुल्म हुआ है, अत्याचार हुआ है, उसके साथ हमदर्दी होनी चाहिये, न कि उससे रुपया लिया जाये । हमारी जो सब से बड़ी व्यवस्था है, सब से बड़ा कांस्टीट्यूशन है मानव धर्म शास्त्र है, उसमें मनु भगवान ने लिखा है कि अगर किसी के यहां डकैती पड़ जाये तो उस डकैती में जितनी रकम उसकी गई है, उसका कम्पेंसेशन सरकार को देना चाहिये, स्टेट को देना चाहिये । जब लोग टैक्स देते हैं तो उसका मतलब ही यह है कि सरकार उनकी हिफाजत करेगी और उनकी हिफाजत करना गवर्नमेंट की रिसपांसिबिलिटी होगी । अगर वह ऐसा नहीं करती है तो वह गवर्नमेंट की खामी है । मेरे घर डकैती पड़े या मेरा सिर कोई फोड़ दे तो मुझे गवर्नमेंट को जुर्माना देना पड़ता है । इसलिये मेरा सुझाव यह है कि कोर्ट फीस को एक कलम खत्म किया जाये ।

हाई कोर्ट के जजिज में एक प्रवृत्ति पैदा आपकी तरफ से कर दी गई है । आपने यह कह दिया है कि फलां उम्र के बाद फिर उनको लगाया जायेगा । हमारे माननीय त्यागी जी ने पिछले सत्र में कहा था कि यह जो प्रवृत्ति पैदा कर दी गई है, यह बहुत खराब है, बहुत बुरी है । इससे आप बड़ी अपवित्रता पैदा करते हैं, बड़ी अनैतिकता पैदा करते हैं । वे कहने लग गये हैं कि उनके बर्थ का जो सर्टिफिकेट था, उसमें जो डेट दी हुई थी, वह गलत थी । इतनी उम्र प्राइमरी स्कूल में उनकी ज्यादा चढ़ गई थी और उसको कम किया जाये । हम आज से बीस बरस-पहले देखते थे कि जो जज थे वे हिन्दू विडो की तरह से रहते थे । वे सोसाइटी से इतना ज्यादा मोह नहीं करते थे जितने आज के जज करते हैं । आप चाहें तो मैं नाम बता सकता हूं, लेकिन ऐसा करके मैं पार्लिमेंट की मर्यादा भंग नहीं करना चाहता । अलहदगी में अगर आप अपने कमरे में मुझ से पूछें तो मैं आपको नाम भी बता सकता हूं । एक स्टेट के चीफ मिनिस्टर हैं, उनके पास चीफ जस्टिस जाते हैं, बैठते हैं, और उनके प्राइवेट सैक्रेटरी की तरह से उनके साथ रहते हैं । इस तरह की बातें कांस्टीट्यूशन पर लांछन हैं । जज में इतनी हिम्मत होनी चाहिये कि बड़े से बड़े आदमी के खिलाफ भी फैसला दे सके । एक केस में हमारे प्राइम मिनिस्टर साहब विटनैस की शक्ल में पेश हुये थे और हमारे श्री प्रकाश साहब जो एक्स-गवर्नर हैं, वह भी एक विटनेस की शक्ल में पेश हुये थे । इसके लिये मैं उनको मुबारिकबाद देता हूं । लेकिन फिर भी जज साहब ने फैसला खिलाफ दिया । जज साहब ने अपने फैसले में जो कुछ कहा मैं उसको कोट करना चाहता हूं । चूंकि यह केस खत्म हो चुका है, इसलिये मैं नहीं समझता कि इसको मेंशन करने में कोई आपत्ति की बात होनी चाहिये ।

[श्री यशपाल सिंह]

मैं समझता हूं कि हमारे जजों में इतना चरित्र-बल होना चाहिये, इतना नैतिक बल होना चाहिये कि बड़े से बड़े लोगों के खिलाफ भी वे फैसला दे सकें । सुब्बा राव साहब जोकि जज हैं, उनका यह फैसला है । उन्होंने इसमें लिखा है :—

> "His Lordship said: Mr. Sri Prakasa, former Governor of Bombay, in his evidence said that from what he knew of Damodar Swarup for the last 32 years, he was a person of high integrity, noble character and of patriotic fervour. Mr. Jawaharlal Nehru said in his evidence that he knew Damodar Swarup for nearly 40 years and that he had known him in the political field as a very earnest and enthusiastic worker and that he had often been imprisoned with him and that he had always had respect for his sincerity. He added that the accused was a simple man who was not too clever and who had nothing to do with business and that he was deaf. The evidence of these witnesses establish that in their opinion, the accused was a man of integrity, sincerity and simplicity. The question is. what is the evidentiary value of the good character of an accused in a criminal case".

जज साहब ने साफ कहा है कि एक ऐसा शख्स हो सकता है कि उस के अन्दर कमियां हों और, वे पब्लिक में न आई हों । फैसला बहुत लम्बा चौड़ा है इस वास्ते मैं सारे फैसले को नहीं पढ़ना चाहता हूं । इस केस में उन्हों ने तीन साल की सजा ठोक दी । ऐसा कर के उन्हों ने बहुत अच्छा किया । मैं समझता हूं कि हमारी जो ज्युडीशरी है वह कांस्टीट्यूशन की गार्डियन है । ज्यूडीशरी को अगर हम प्रभावित करने की कोशिश करेंगे एम० एल० एज० के जरिए या एम० पीज० के जरिए या वजीरों के जरिये तो हमारा कांस्टीट्यूशन फेल हो जायगा । हम लोगों को इंसाफ नहीं दे सकेंगे । इस वास्ते जरूरत इस बात की है कि जजों की ज्यादा से ज्यादा ताज़ीम की जाए, उनकी तनख्वाह बढ़ाई जाए, उन को किसी प्रलोभन में न डाला जाए, उन के मारेल को खराब न किया जाए । इस तरह की बात अगर करने की कोशिश होती है तो यह बिल्कुल ठीक नहीं है ।

आप जहां सुधार करते हैं, वहां आप कुछ खर्च भी कम कीजिये । मैंने आप की सारी रिपोर्ट देखी है । आप ने सिर्फ १६,००० रुपये की खर्च में कमी की है । सारे साल में इतना खर्चा ही कम किया गया है । इतनी बड़ी कमेटी बैठने के बाद इतनी सी खर्च में कमी हो यह कहां तक मुनासिब है । जो बेकार के महकमे हैं, वे खत्म किए जायें ।

ग्राम पंचायतों के अन्दर पांच सौ रुपये की जुरिसडिकशन आपने दी है । एक एक केस ग्राम पंचायतों में ऐसा पड़ा है जोकि दो दो साल से पेंडिंग है । जस्टिस डिलेड इज़ जस्टिस डिनाइड । अगर इंसाफ देने के मामले में देर की जायगी तो जस्टिस खत्म हो जायगा । इसलिये यह भी देखा जाना चाहिये कि सारे हिन्दुस्तान के अन्दर कितने ऐसे केसिस हैं जोकि बहुत लम्बे समय से पेंडिंग पड़े हुए हैं, दो दो और तीन तीन साल से पड़े हुए हैं और उन का फैसला होने को ही नहीं आता है । फैसला होने का कोई टाइम ही मुकर्रर नहीं है । इस तरफ भी आप का ध्यान जाना चाहिये । यह सब से ज्यादा जरूरी है कि जल्दी से जल्दी इसाफ लोगों को मिले ।

अब मैं इलैक्शन पेटीशंज़ के बारे में कुछ कहना चाहता हूं । मैं देखता हूं कि पांच साल का टर्म खत्म हो जाता है, पांच साल के बाद नए इलैक्शन आ जाते हैं, लेकिन पुराने इलैक्शन पेटीशंज का फैसला ही नहीं होता है । इस के लिए भी आप को रूल्ज़ बनाने चाहियें कि एक साल के अन्दर अन्दर हर

इलैक्शन पेटीशन का फैसला हो जाए । एक साल से अधिक कोई भी इलैक्शन पेटीशन पेंडिंग में नहीं रहनी चाहिये ।

कांस्टीट्यूशन में कोई चेंज नहीं की जानी चाहिये । जब कोई बात कांस्टीट्यूशन की आप की पार्टी के खिलाफ पड़ती है, आप कांस्टीट्यूशन को बैठ करके चेंज कर देते हैं।

श्री त्यागी (देहरादून) : ऐसा नहीं है ।

श्री यशपाल सिंह : कांस्टीट्यूशन इस प्रकार की चीज़ नहीं कि जिस को अपनी मर्जी के मुताबिक जब चाहें, आप चेंज कर दें । एक बार नहीं दसियों बार इस को चेंज किया गया है । कई बार इस की दफात को बदला गया है । यह ठीक नहीं है । हमें अपने उसूलों को, अपने समाज को कांस्टीट्यूशन के मुताबिक बनाना चाहिये, उस के मुताबिक ढालना चाहिये । अगर कहीं हमारी मर्जी के खिलाफ कांस्टीट्यूशन जाती है, तो उस को भी हमें बर्दाश्त करना चाहिये । ऐसा कहीं नहीं होता है कि जूता मेरे पैर में न आए तो मैं जूते को ठीक न करूं बल्कि पैर को कटवा दूं । आप के हित में कोई चीज अगर नहीं है तो उस के मुताबिक आप अपनी कांस्टीट्यूशन को बदल लें, ऐसा नहीं होना चाहिए ।

मैं समझता हूं कि यह भी बहुत जरूरी है कि जिन लोगों के हाथ में इंसाफ देने की ताकत हो, जो लोग इंसाफ देते हों, उनका एप्वाइंटमेंट हो । गांव सभा के अन्दर, न्याय समिति के अन्दर, न्याय अदालत के अन्दर जो वोट से न्यायाधीश बनते हैं, वे फैसला ठीक नहीं दे सकते हैं, इंसाफ नहीं दे सकते हैं । जिन के वोट से वे न्यायाधीश बनेंगे उसके प्रति उन के दिलों में साफ्ट कार्नर रहेगा । इसलिए कांस्टीट्यूशन में ऐसा चेंज होना चाहिये कि किसी हालत में भी जो न्यायाधीश हैं, उस का इलैक्शन न हो, बल्कि उस का एप्वाइंटमेंट हो ।

सब से जरूरी बात यह है कि जो अखराजात हैं और जो बढ़ रहे हैं, उनको कम किया जाए । वे इसलिए बढ़ रहे हैं कि जिस काम को करने के लिए आप दो शख्स लगाते हैं, उस को पहले एक शख्स किया करता था । काम बढ़ता जा रहा है, कमेटीज़ बढ़ती जा रही हैं, चेयरमैन बढ़ते जा रहे हैं । यह बहुत जरूरी है कि इन पर रोक लगे ।

एक छोटी सी बात मैं और कहना चाहता हूं । अभी यह अनआथाराइज्ड कन्स्ट्रक्शन्ज़ की बात हो रही थी और यह कहा जा रहा था कि मकान अनआथोराइज्डली बना लिये जाते हैं । सरकार उन लोगों से हाउस टैक्स ले रही है, वह क्या अनआथोराइज्डली नहीं ले रही है, जो अफसर उन के लिए सिमेंट मंज़ूर करते हैं, वे अनआथोराइज्डली क्या नहीं करते हैं, जो लोहा मंजूर करते हैं, वे ऐसा ही क्या नहीं करते हैं, जो रजिस्ट्रेशन होता है, वह क्या अनआथोराइज्डली नहीं होता है । जिस घर के लिए आप ने बाकायदा कोर्ट फीस ली है, वह अनआथोराइज्ड नहीं रह जाता है । मकान बनने के बाद और तीन साल गुज़र जाने के बाद आप कहते हैं कि वह अनआथोराइज्ड था, इस वास्ते उस को गिरा दिया जाए । इस प्रकार का जो एक्ट है, उस में सुधार होना चाहिए, जो कानून है, उस में सुधार होना चाहिये । कानून की दृष्टि में सब लोग बराबर होने चाहियें । कानून में यह कहना कि सब समान हैं, सब को इक्वल अपरचुनिटीज़ हैं तथा फेयर फील्ड एंड नो फेवर है । लेकिन मैं पूछना चाहता हूं कि हमारे साथ जो सलूक किया जाता है, वह दुनिया की किसी कांस्टीट्यूशन में नहीं किया जाता है । हम जनता के रिप्रिज़ेंटेटिव हैं । हमारी तकरीरों को सी० आई० डी० नोट करती है, यह हमारी कांस्टीट्यूशन के ऊपर एक धब्बा है । अगर हम खराब हैं, अगर हमारा कारेक्टर मशकूक है तो हमें यहां से हटाया जाए । अगर ऐसी बात नहीं है तो हमारी तकरीरों को सी० आई० डी० क्यों नोट करती है । जब यह किया

[श्री यशपाल सिंह]

जाता है तो यह हमारी कांस्टीट्यूशन के ऊपर बहुत बुरा कलंक है, धब्बा है ।

श्री त्यागी : क्या आप की तकरीर सी० आई० डी० के लोग नोट कर रहे हैं ?

श्री यशपाल सिंह : मैं बाहर की बात कह रहा हूं, यहां की नहीं ।

यहां सब से ज्यादा जरूरी यह है कि हमारे यहां जो अनडिसाइडेड केसेज़ हैं उन को एकदम तय किया जाये । उन में देर न की जाये । नये केसेज़ एकदम न चलें जब तक कि पिछले केसेज़ का आप कोई फैसला न कर दें । अखबारों के साथ आजकल जो तरफदारी हो रही है, जो डिस्क्रिमिनेशन हो रहा है वह नहीं होना चाहिये । मैं एक ऐसे अखबार को जानता हूं जिस पर मुकदमा चल रहा है । उस ने अकाली मूवमेंट को सपोर्ट किया था । जो अकाली राज्य, पंजाबी राज्य, सिख राज्य की बात कह रहा था वह तो नहीं रहा, जो पंजाबी राज्य के कैदी थे, जिन्हों ने खालसा राज्य का नारा लगाया था वह तो छोड़ दिए गए, लेकिन कुछ ऐसे गरीब अखबार हैं उन पर मुकदमा चल रहा है । अगर मैं ने कोई कुसूर किया है तो मैं तो छोड़ दिया जाऊं, लेकिन जिस ने मेरी हिमायत की और कहा है कि मैं बेकसूर हूं, उस पर मुकदमा चले, यह एक बड़ी अजीब बात है । इन चीजों का सुधार करना पड़ेगा तब कहीं जा कर इस देश का सुधार होगा । हमारे हाई कोर्ट्स हैं, हमारी जुडीशिअरी है कि हमारे कांस्टीट्यूशन की गार्जियन है । अगर उन को आप खुली आजादी नहीं देंगे, और उन की इज्जत नहीं करेंगे, उन की तन्ख्वाह नहीं बढ़ायेंगे, उन को पूरा सम्मान नहीं मिलेगा, उन के दरवाजे तक एम० पी० और एम० एल० ए० जाना नहीं छोड़ेंगे, तो यह इन्साफ बठ जायेगा, इन्साफ हमारे देश का चला जाता है ।

इस के साथ यह भी जरूरी है कि कानून में कुछ नये सेक्शन्स बढ़ाये जायें । यह बात नहीं कि जो कुछ अंग्रेज के जमाने से चला आ रहा है वह बात सही है । नहीं, अंग्रेज ने जो गलतियां की थीं उसे सुधारा जाय । मैं लाजिमीतौर पर अर्ज करूंगा कि इस देश में ५० लाख मन गेहूं चूहे खा जाते हैं, लेकिन जिन मकान मालिकों के गहूं को चूहा खाता है उन के खिलाफ कोई सेक्शन नहीं है हमारे कानून में । मैं कहता हूं कि इस तरह से नहीं होना चाहिये । अगर कोई यह कहे कि अपना गहूं है, मैं ने अपना गहूं खिला दिया, तो यह कोई दलील नहीं है । हमारा रुपया है हम ने जुआ खेल लिया । लेकिन आजकल जुआ खेलने वाला मुजरिम है, चाहे वह अपने रुपये से खेले या दूसरे के रुपये से खेले । जो देश की सम्पत्ति को सुरक्षित नहीं रख सकता उस के लिये कानून होना चाहिये ।

दूसरी बात यह है कि जो डिसकर्टसी या बदएल्लाकी बरतता है, अशिष्टाचार बरतता है, इन्सान इन्सान से हंस कर नहीं मिलता, इन्सान से इन्सान बच कर निकलता है, उस के लिये ला होना चाहिये । जो मातमी सूरत से निकलता है, उस के लिये किसी और डिस्क्वालिफिकेशन की जरूरत नहीं है, जो उदास चेहरे से मिलता है, उस के लिये किसी और डिस्क्वालिफिकेशन की ज़रूरत नहीं है । गीता में यह बात लिखी हुई है ।

"प्रसन्नचेतसो ह्याशु बुद्धिः पर्यवतिष्टते"

जो हंसता नहीं है, जिस का चित्त प्रसन्न नहीं है, जिस का चेहरा प्रसन्न नहीं है उसे भगवान दर्शन नहीं दे सकते । लेकिन हमारे ला में कोई सेक्शन ऐसा नहीं है जो आदमी बदतहजीबी के साथ, अशिष्टाचार के साथ, मिलता है, बदएल्लाकी के साथ मिलता है, उस के खिलाफ कोई सेक्शन नहीं है । यह

बड़ी भारी कमी है हमारे ला की । उस में इस तरह का सेक्शन होना चाहिये और जो मिलते वक्त कंजूसी करता है, जो मातमी सूरत से मिलता है, उस के खिलाफ एक्शन लिया जाय । मैं दूसरे देशों की तारीफ नहीं करता हूं, लेकिन जब वहां हम जाते हैं तो क्या पाते हैं ? मैं दूसरे देशों की तारीफ नहीं, करता, मैं उन का कोई वकील नहीं हूं । मैं तो सिर्फ अपने देश का भला चाहता हूं । दूसरे देशों में हम ऊपर यह लिखा हुआ देखते हैं :

"यही है इबादत, यही दीनो ईमां,
कि काम आये दुनिया में इन्सां के इन्सां"

लेकिन यहां उलटा हिसाब है । दफ्तर जाते हैं तो लिखा मिलता है "नो ऐडमिशन" । "नो ऐडमिशन" का मतलब है नाएख्लाकी, अनकल्चर्डनेस । हम लोगों में इतनी तहजीब होनी चाहिये कि हम बिना इत्तला के न जायें, लेकिन जो लोग अपने दरवाजों पर "नो ऐडमिशन" लिखवाते हैं वे मानवता के दरवाजे बन्द करते हैं । यह कानून होना चाहिये कि बगैर किसी काम के कोई किसी के दरवाजे पर न जाये, लेकिन जो जाता है, वह जनता की तरफ से जाता है, उसे किसी स्वार्थ साधने की जरूरत नहीं है । मेरा अपना कोई हित नहीं है, लेकिन मैं यहां पर एक स्टूडेंट के तरीके से अटेंड करता हूं । यहां से निकल कर अपनी कांस्टिट्टुएन्सी में चला जाता हूं और सिपाही की तरह से काम करता हूं । लेकिन अगर मुझ से मिलने के लिये एक हजार आदमी भी आ जायें तो मेरे पास इतना प्रेम है कि वह एक हजार आदमी नाराज हो कर नहीं जायेंगे । चूंकि प्रेम की गोदी इतनी विस्तृत है, मुहब्बत का आगोश इतना वसी है कि सारा संसार पैर फैला कर सो सकता है । लेकिन जो बदएख्लाकी से मिलता है उन के लिये बाकायदा सेक्शन होना चाहिये ।

मैं कहना चाहता हूं कि कानून बदलेगा तो समाज बदलेगा, कानून नहीं बदलेगा तो हमारा समाज नहीं बदलेगा । यह जो आर्म्स ऐक्ट है, यह अंग्रेजों का बनाया हुआ है, आर्म्स ऐक्ट अंग्रेजों ने इस लिये बनाया था कि हमारी गुलामी की जंजीरें मजबूत रहें, हम में नपसकता बढ़ती रहे, हम में बुजदिली बढ़ती रहे, हम में कायरता बढ़ती रहे, हम डिस्पेरिटीज क्रिएट करते रहें । लाइसेंसेज के नाम पर डिस्पैरिटी क्रिएट की जाती है और समाज में छोटे बड़े का लिहाज रक्खा जाता है । इस लिये आर्म्स ऐक्ट को एक दम खत्म कर के आप प्रत्येक भारतवासी को जो बालिग है, जो ईमान्दार है, उसे हथियार रखने का अख्त्यार दें, और यह विधि मंत्री जी का काम है ।

मैं यह भी अर्ज करना चाहता हूं कि जो १२४ (ए) दफा है हमारी ताजीरात हिन्द की, जिस के हम लोग शिकार हुए हैं, जिस के मातहत हम सब लोग अंग्रेजों के जमाने में जेलखानों में रहे हैं, वह दफा हमारे कांस्टिट्यूशन के खिलाफ है । मैं सिक्योरिटी की बात नहीं कहता, इमर्जेंसी के वक्त में मैं कहता हूं कि वह ठीक हो सकती है, जो देश के हित को सम्पादित नहीं करता है, जो रास्ते में रोड़े अटकाता है उसे पकड़ कर जेल में बन्द कर दिया जाय, लेकिन जब इमर्जेन्सी का टाइम नहीं होता है उस वक्त दफा १२४ (ए) को कायम रखना गलत होगा । दफा १२४ (ए) और हमारा कांस्टिट्यूशन दोनों साथ साथ नहीं रह सकते । कांस्टिट्यूशन बोलने की आजादी देता है, कांस्टिट्यूशन लिखने की आजादी देता है, खयालात की आजादी देता है, कांस्टिट्यूशन अपने मूवमेंट की भी आजादी देता है । लेकिन यहां उल्टा हिसाब है और वह उल्टा हिसाब यह है कि १२४(ए) के मातहत कह दिया कि इस ने सरकार के खिलाफ बगावत की है । मैं कहना चाहता हूं कि सरकार और पब्लिक कोई दो नहीं हैं । इस लिये दफा १२४ (ए)

[श्री यशपाल सिंह]

बोसीदा हो चुकी है, आउट आफ डेट हो चुकी है। इस का इख्तताम होना चाहिये, इस को खत्म करना चाहिये। तभी हमारा यह कांस्टिट्यूशन फल फूल सकेगा जब तमाम हिन्दुस्तानियों को बराबर का हक दिया जाय "फेअर फील्ड ऐंड नो फेवर" कह देना तो आसान है, ईक्वल अपार्चुनिटी कह देना आसान है, लिहाजा इस के लिये हमें मेहनत करनी पड़ेगी और कल्याण का रास्ता खोलना पड़ेगा। जब तक हम सब लोग मिल कर ईक्वल अपार्चुनिटी के लिये कोशिश नहीं करेंगे और वह वायुमंडल तैयार नहीं करेंगे तब तक हम को कामयाबी नहीं मिलेगी। मैं पूछता हूं, जरा सी बात से, मैं जिस कांस्टिटुएन्सी से खड़ा हुआ हूं वहां पर एक लड़के को १५ रु० माहवार की मुलाजमत नहीं दे सकता हूं, जब कि हमारे दूसरे साथी हैं जो कि खड़े हुए हैं, जो बाकायदा वजीर हैं, बाकायदा मंत्री हैं, वह सब कुछ दिलवा सकते हैं। नौकरी भी दिलवा सकते हैं, सीमेन्ट भी दिलवा सकते हैं, एजेन्सी भी दिलवा सकते हैं, परमिट भी दिलवा सकते हैं। इस तरह से हम देखते हैं कि ईक्वल अपार्चुनिटीज नहीं हैं। हमें इस के लिये कोशिश करनी चाहिये। सारे देश के अन्दर लोगों को एक निगाह से देखा जाय, माइनारिटी और मैजारिटी का सवाल हटाया जाये, छोटे बड़े का सवाल हटाया जाय, अछूतपन के खिलाफ कानून सख्त बनाया जाय, कहा जाय कि जो किसी को अनटचेबल समझता है वह देशद्रोही है।

इन शब्दों के साथ मैं कहना चाहता हूं कि मानव मानव के लिये समानता और भ्रात् भाव लाने की हम सब को कोशिश करनी चाहिये तभी विधि मंत्री को श्रेय प्राप्त होगा।

Shri Tyagi: I want only half a minute. I do not want to make a speech, but I want to stress only one point, namely that respect for the judiciary is fast disappearing in the country. That point my hon. friend also appreciates.

There was a suggestion made last time that an all-India service must be established for judicial officer. The difficulty is this, that the impact of the politicians is telling up the very conception of justice, because Chief Ministers, Ministers, M.Ps., and M.L.As., whoever occupies some position tries to influence, and ultimately the promotion and the very existence of those officers depends on the goodwill of th politicians alone in the various States. So, if these services are integrated, it will be an ideal integration of the whole country. Irrespective of any considerations of the States, all the judicial services should be integrated into one service.

Then again, the members of the panchayats in the villages are smaller politicians. They also depend on votes, they get elected, with the result that they cannot really dispense justice. They have to look to their voters. Most of the members of the various legislatures also have that weakness. It is the inherent weakness of politicians and democracy. I do not want that democracy should in any way be diluted, but as far as the judiciary is concerned, it should be kept out of the reach of democracy and politicians. I hope my hon. friend will give thought to it and take the earliest opportunity to integrate the judicial services on an all-India basis.

Shri Sham Lal Saraf (Jammu and Kashmir): It should be kept above administrative interference also.

Shri R. Barua (Jorhat): Mr. Deputy-Speaker, Sir, I am just wondering whether the Law Ministry exists in India as it should in a democracy. In a democracy, the rule of law is the main thing, and once this rule of law goes out, we shall be head-

ing towards a monolithic State which may be good for Russia or some other country, but certainly not for India. Unfortunately, in the recent past we have seen that there is a tendency creeping into the very judicial fibre, demoralising the whole system, and I am afraid that if it is not put a stop to in time, we will be heading towards a serious crisis. The speaker who preceded me rightly remarked that our judiciary is gradually losing the position and status which it used to have. The reasons are many. Firstly, in a democratic set up, particularly in a socialist State, we are giving more powers to the executive and in the very nature of things in the administrative field also delegated powers are being given to various departments and officers and these administrative laws are becoming more or less lawless laws. Unless we have an independent judiciary, it would be very difficult to check their misuses by those in authority because it is a human tendency. Once a man has got power, unless he knows that there is a check, naturally he will act despotically. It is only meet and proper therefore that everybody stresses the independence of the judiciary and the need to maintain the supremacy of the law. It was very clearly adumberated in our Constitution this principle.

I find from the report that this Ministry is not giving us it due contribution as it should have. A perusal of the report will give us an impression that it is just functioning as a legal adviser doing mere drafting work etc. If that were the real functioning of the Ministry, I am afraid it is not a good and purposeful Ministry; the Attorney General with some parapharnelia would have performed those functions which are narrated here in the report. I feel that this report is prepared in a rountine manner, not focusing the real purpose for which the Ministry is meant. It is a casual report. If it is not a casual report and if it is actually a report of the proper functioning of the Law Ministry as it is, I am afraid India is heading for some sort of a monolithic State and in that case the entire democratic sel-up will some day crash.

The separation of judiciary from the executive was mooted long before we attained our Independence. Even in the Constitution it was specifically stated that the judiciary must be separate from the executive in order to maintain the dignity of democracy to which we are all weded. The tendency in the States and in the Centre is not to separate the executive from the judiciary. Attempts are made in some States but they are not complete. The States are not inclined to create a proper atmosphere to allow the judiciary to function in an independent way and in the Centre also no attempts seems to have been made to achieve this objective. Fifteen years have passed. Administrative machinery completely grips the judiciary; judiciary is more or less under the hands of the executive, as Shri Tyagi said They are to depend on the executive for their promotions, transfers and even reappointments after their retirement. How can we expect judiciary to dispense justice or administer law in an equitable manner to the best interests of democracy. Beyond India, in the neighbouring State. democracy is fast crumbling. Therefore, it is all the more necessary that the Ministry of Law takes special care to see that fissures and cracks do not appear in the citadel of democracy. Unless we take measures in good time, things wil happen in such a way that people will not be respecting the democratic set up. There is already a tendency in the minds of the people; they ask: what is the good of going to the law courts when they are expensive or when they could not get proper justice at proper time. We should take some bold steps to clear these misapprehensions.

We have in the recent past been legislating on matters affecting the people; we wanted to save people from the clutches of the landlords and greedy money lenders. The laws are there; very good laws so far as they go. When the question of vindicating their rights comes and when they have

[Shri R. Barua]

to go to the court of law, no machinery has been set up to assist them to get their rights vindicated according to the law. Legal aid to the poor must be a burning problem for all of us to consider and more so for the Law Ministry. I have gone through the reply given by our Law Minister on the last occasion when he said: yes; this was under the consideration of the Law Ministry; but for paucity of funds it could not be done. I am sure he will come up with the same statement. What is the good of these welfare laws if the vast majority of our people cannot normally afford the expenses of litigation, unless we come forward to give legal aid to them.

The question of court fees was raised by some hon. friends and it was said that it was a State matter and so the Law Ministry could not do anything. It may be a State matter. But why are we having the Ministry of Law here if it cannot persuade the States to do these things, as is done by the other Ministries? . . . (*Interruptions*) We are not prepared to hear that simply because it is a State subject nothing can be said. Every year, you will be surprised to find that the first to be hit at is the court fee; everytime they are being increased. Nothing is done to decrease it.

My friend Tyagi mentioned about the lawyer's fees. I can assure him that there are lawyers who can do their bit to help the poor as they were doing in the past. I am sure an eminent lawyer of Shri Sen's stature also did enough for the poor although his fees are very high.

Shri Tyagi: They charge Rs. 10,000 or Rs. 20,000 a day.

Shri R. Barua: There are cases in which he did things without taking any fees. If you just create the atmosphere, there will be such lawyers. . . . (*Interruptions.*) A machinery to give such aid should be evolved.

We are having in the Ministry here a man of the eminence of Shri Sen's stature. I was all along expecting that he will infuse a new spirit of dynamism in the Ministry which does only routine things year in and year out. I am happy to refer to one feature: the appointment of an enquiry committee to find out how they change the law in the Muslim countries. Shri Ghosh found fault with it. I do not find fault with it, because after all, we must take into account the laws that prevail in a particular country and at a particular time and impact of human behaviour and as human institutions. Therefore, I should say it is wise and proper that a committee is formed. It ought to have been formed much earlier. I do not know why some of the personal laws affecting the Muslim community should be so different; they are certainly not in line with modern tastes and modern needs. Therefore, these should not have been relegated to such a position during the past so many years, simply because there happened to be some sort of complex prevailing and therefore nothing should have been done. It is good that the Law Ministry is going to appoint such a committee. I feel that in no distant time, we shall find a due change in the personal laws of the Muslims and that we shall bring them in line with the rest of the people in India.

Lastly, this Ministry, I believe, will take into consideration the fact that our human conceptions of society and economic relations are fast changing due to the scientific achievements, technological researches and so on. In order to have our laws framed so as to fit in with the new changes, the Law Minister should do something to educate the people so that the new impact of science, the new impact of philosophy and technological achievements are broadly known and appreciated by the people. In the modern age, these currents and cross-currents should not be left to the university students, university research students, only to note and appreciate. Therefore, this Ministry, as I have already stated, should cease to be a mere appendage to the Ministries of Government but should contribute something real to the society, and it should educate the people and the legislators and the masses at large to let them know how there has been this action and reaction of forces of history all over the world so that we could form a proper type of democratic laws in the country.

Shri Tyagi: How would you react to the suggestion that there should be a ceiling on lawyers' fees?

Shri R. Barua: I welcome that. But the difficulty is, you cannot put that. It will be a very difficult thing.

Shri Tyagi: There is a ceiling on land; there is a ceiling on income.

Shri R. Barua: It will be difficult to implement.

Mr. Deputy-Speaker: Order, order. Dr. L. M. Singhvi.

Dr. L. M. Singhvi: Mr. Deputy-Speaker, Sir, I would be forgiven if I say that I was rather amused at the predicament of the distinguished Law Minister, because he was being harangued by a number of hon. Members of this House on subjects which actually do not belong to his Ministry's scope of activities. That is also the reason why the report of the Ministry's activities is, I think, an achievement and an exercise in brevity. This is not the brevity of which wit is the soul. It is the helpless brevity of a Ministry which has very little to say and also which has very little to do.

I feel very sorry that the Ministry of Law has been invested with so few functions. I feel that the scope of activities of this Ministry is highly confined, highly restricted, rather tenuous and elusive. I feel that it is almost unfair to the distinguished Law Minister to be entrusted with so little work and also work which is generally of a routine character. We are all aware of his great abilities in his professional field and I would very much wish that the Law Ministry is invested with a larger jurisdiction, with a larger field of activities so that there can be read coordination within the framewor of the Law Ministry. Before one could walk a few yards on what one would consider the *terra firma* of Law Ministry's proper province of activity, one would have to be told that one is actually talking of a subject-matter which is not within the scope of the Law Ministry's activities. This is not a situation which is very happy, because law is the very breath of our democratic life. It is the very breath of our daily doings of the State and if the Law Ministry's activities are confined in the manner in which they have been done hitherto, I think not only is legislation going to suffer but the implementation of legislation too is going to suffer. This—I think it would be admitted—has been actually the case. I feel that a real reappraisal of allocation of activities would be made by the Government with a view to give a larger scope of activities to the Law Ministry.

I should like to mention that perhaps it was in this context that at one time it was suggested that the offices of the Law Minister and the Attorney-General should be combined. I for one am not sorry that the move did not flourish and fructify; that the effort suffered a sort of miscarriage. I think I must mention in this respect a matter which was of great concern to most of us in the legal profession and to others concerned with public life. I refer specifically to the so-called clarification given by a spokesman of the Government. I think this clarification of the spokesman was distinctly

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disrespectful to the work of a very eminent lawyer who has functioned as Attorney-General of our country for a number of years with great distinction, and had brought to bear upon his office a great deal of scholarship and an unusual legal acumen. I would like to refer to some portions of this clarification of the spokesman which was certainly not in very good taste. I refer to the reports appearing in the newspapers on the 3rd of January, 1963. The spokesman says this.

> "The spokesman emphasized that even though there had been a separate Attorney-General till now, most of the work relating to tendering legal advice had been done by the Law Ministry.
>
> In 1960, he said the total number of cases on which advices were rendered by the Ministry to the various departments was 24,250 as against 34 by the Attorney-General.
>
> In 1961, the Law Ministry gave advices in 20,007 cases referred to it by the Ministries and the Attorney-General 20. In 1962, the Law Ministry gave advices in 19,181 instances and Attorney-General 11."

Then the spokesman goes on to say:

> "It has been felt by many, the spokesman added, the Attorney-General should not exercise the right of private practice and undertaking private work. In fact, the Attorney-General remains so busy with private work that he is not available always for Government work in the Supreme Court."

Further, the spokesman goes on to say:

> "It does not appear satisfactory to many that the Attorney-General for India should be appearing for private litigants and arguing private cases even against State Governments and Government corporations and should be available to render his services and throw the weight of his office for every litigant, who chooses to engage him."

With great respect, I take serious exception to this clarification issued by one who was presumably the spokesman of the Law Ministry. In the first place, it was very unseemly that such a controversy should have been allowed to arise. In the second place, it was equally unseemly that the Law Ministry should have appeared—I use the word "appeared" advisedly—to take sides in the matter or to undertake sponsorship of the idea. I feel that this was entirely unfair and unjust to the work of a distinguished lawyer whom this country has learnt to respect for the great contribution he has made in shaping the healthy legal traditions in the country and who was rightly at the head and the helm of the Indian legal profession. I hope that the Minister would have at least a word of regret to offer in this House when he rises to reply to the debate.

I feel that there is very little research as an aid to legislation in this country. It is true we have a few very useful institutions under the Government sponsorship or assistance such as the Law Commission and the Indian Law Institute. Both these bodies have done exceedingly useful work and I hope that the field of their work would be expanded progressively so that our legislation becomes more intelligent and more systematised.

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I would also like to say that in the Ministry itself there should be a good deal more of research before bringing out legislation. This is a subject over which many distinguished jurists have had much to say. My friend, Shri Sharma, referred to the plea that Mr. Justice Wendell O. Holmes of the United States made for setting up a Ministry of Justice. I think to a certain extent that demand is met by the creation of the Law Commission, but I would submit respectfully, only partially. I hope that the Law Ministry would undertake more and more research both in the fields of existing legislation and for legislation which is proposed to be brought before Parliament.

In this respect, I would like to make a plea for setting up a Department of Social Legislation in our country. We have a whole lot of enactments which relate to presonal laws of the citizens of this country. We have revolutionised so to say the relationship between individuals and the society and have recast social institutions, which had been known to this country for centuries. That was done for the good of the country, so that we may really take strides forward in achieveing and consolidating social progress. It almost appears that these social enactments and their implementation has by and large gone by default. I do not wish to say this as a broadside only against the Law Ministry; it is a criticism of the entire governmental structure and parliamentary structure itself that we have not, after giving birth to such vast and far-reaching legislation, taken care to take stock. As a matter of fact, in any other country, perhaps social legislation of such far-reaching significance would have been the subject matter of extensive research and intnesive study by universities, academic institutions and [illegible] governmental and semi-governmental institutions. Very little, I must submit with a sense of regret, has been done so far in this direction. I would like the Law Minister to consider the setting up of a department of social legislation or for social affairs, so that this need for implementing and effectuating existing legislation may be met and so that new legislation may be more intelligent and also in order that the legislation that is already existing may be improved.

I should like to say a word about article 44 of the Constitution, which enjoins upon the State that the State shall endeavour to secure for the citizens a uniform civil code throughout the territory of India; I do not think we have before us all the materials, the pros and cons of this problem to give a verdict as to whether the time has come when such uniform civil code should be enacted so as to be applicable throughout the territory of India. But I do think that the time has come when we must consider the possibility of bringing about a uniform civil code in this country. It may be said that the time is not yet ripe. If that is so, we should know how it is that the time is not yet ripe. We should also know whether the time was ripe for bringing out a vast multitude of social legislative enactments in the past.

I pass on the another matter of considerable importance, namely popularisation of the Constitution of India. The Constitution of India is a symbol as well as a shield for our people; it is the fortress of our freedom I say with a sense of regret that relatively little effort has been made so far to popularise the Constitution of India among the common men in the country. They should be told that there is this document which enshrines in it the fundamental organic law of this land as well as the aspirations of its people. They should be told what it is to have a written Constitution. I think this is a sacred duty of the Government, which it cannot in propriety default in discharging.

I should like to mention another matter which is of very great importance to our country in particular. It is the matter of having a sort of a parliamentary commission on the pattern of Ombudsman in Scandinavian, countries. As I have had occasion to remark many times in this House, that is an institution which may be the real solution for the various problems which arise in respect of injustice being done in particular cases. This institution would be securing to the common citizen a forum where-

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in his grievances can be effectively ventilated. This would be securing for the Parliament an institution through which it can effectively function in individual cases. We know very well that the Question Hour is really no substitute for it; we know that writing of letters to the Ministers is no substitute. We really need an institution in this country for securing to the citizens in general, an institution where they can always represent their grievances and hope to get independent impartial justice in matters of administrative excesses. It cannot be said that the Constitution provides that machinery. I do not think that the Constitution provides an adequate enough machinery for the ventilation or for the solution of such problems.

I should like to quote what a distinguished jurist, Lord Denning, has to say on this subject:

> "Just as the pick and shovel is no longer suitable for the winning of coal, so also the procedure of *mandamus* and *certiorari* is not suitable for the winning of freedom in the new age."

The Constitution guarantees valuable fundamental rights to the citizens of this country. But the courts of law which administer the Constitution and which make effective the provisions of the Constitution have to be hidebound by certain limitations of procedure and technicalities. An institution such as the Ombudsman could go a long way in solving various problems of the general public and of bringing the Government to account before the Parliament in a real and substantial way in specific and individual cases.

I would also like the Minister to consider giving a reorientation to and for recasting of the existing machinery on administrative law and administrative tribunals. This is also a subject on which a great deal has been said. I know that the Minister is quite aware of the implications of the various aspects of this problem. I hope he would have something to say on the Government's policy in this matter.

I would like briefly to mention something about the rule of law, which is the subject-matter which fall more appropriately at the present time under the Ministry of Home Affairs, because it is the Home Ministry which is concerned with the observance of the rule of law. The rule of law in practical terms sometimes suffers greatly when the cost of litigation is very high or when the justice administered is greatly delayed or when sufficient legal assistance is not available to a poor litigant. I would like the Government to approach this matter again on an all-India level. Efforts are made sporadically here and there for securing free legal assistance to indigent litigants. But this is not enough. We want in this country equality of opportunity also in the matter of rendering free legal assistance and advice, and I hope in this respect the Government would adopt an all-India approach.

Sir, I would like to pay a tribute to the work of the Election Commission which is an institution *sui generis* in our country, and which it has contributed a great deal to the maintenance of democratic institutions in our country. I would like, in this respect, to suggest that we must have State units of the Election Commission so as to supervise and conduct elections within the boundaries of the State for panchayats and municipalities, because that is a field where there is, legitimately and rightly, a whole spate of allegations of corruption and malpractices. In that respect, I would like the Minister to initiate a move of consultation with the State Governments for the creation of such an independent machinery.

I would like, in this respect, that the Minister should also consider whether the Representation of the People Act does not also stand in need of certain revisions. It is overcast with certain technicalities. I do not criticise the enactment as a whole, but this enactment tends to be too technical sometimes. If I were to illustrate what I say, I would cite Section 81(3) of the Act which requires a litigant who is filing a petition to file copies which are duly attested by him and if a single copy in the copies submitted by him is not properly attested on each page, his petition would stand in the peril of being thrown out because of a technical mandatory provision of the law. Of course, there are a large number of those difficulties which arise in the administration of the Representation of the People Act, and I assume that the Minister is not be unaware of them.

Sir, I thank you very much for giving me this opportunity of offering a few remarks on the functioning of this Ministry on which the functioning of the Rule of Law devolves. As ancient Sanskrit adage goes:

"धर्मो रक्षति रक्षितम्"

Shri G. N. Dixit (Etawah): Sir, before I begin, I do want to express my regret on one point. Last time when I spoke on the Demands relating to the Education Ministry I assured my friends that next time I would speak in Hindi, but I have decided to speak today also in English because I want to speak and make a plea for Hindi to the Law Minister who will understand my speech in English better.

Sir, I entirely agree with some of my hon. friends who said that it is incorrect to say that the present Ministry is a Ministry of Law. Really speaking, it is a Ministry for litigation, advice and drafting, because most of the functions of the Ministry of Justice go to the Home Ministry and to the various States, to the Chief Justice of India and also to the Chief Justices of the High Courts.

I shall be beginning with the last work which is assigned to this Ministry, and that is the work of the Official Language Commission. The other day, in reply to a question, the Law Minister informed this House that some of the Acts have been translated into Hindi—the Criminal Procedure Code, the Indian Penal Code, the Evidence Act etc. I made an enquiry and I learnt that the Acts have been translated, they have been cyclostyled for examination but they have not been printed yet. On a further enquiry made as to what time this work may take, the Law Minister was pleased to tell us in the House that he could not give a definite time as to when it will be possible to translate all these Acts and statutes into Hindi and other languages. But I learnt from the source of the Official Language Commission that at the present level it may take 30 years. with the present staff that is allotted to them they might take thirty years and, if they are given three times the staff, they might succeed in ten years. Now, thirteen years have gone by since the Constituent Assembly decided that Hindi shall be the official language, the national language, knowing that there can be no nation without a national language. So, the Constituent Assembly rightly decided unanimously that Hindi was the only language which could be the national language and the official language. Knowing this, the target date was fixed fifteen years hence under article 351 to develop this language in a manner that this language becomes the national language of the country. Now, one of the most important parts assigned to the Law Ministry is the working of the Official Language Commission, because there can be no language as a national language unless it is the court language, because it is the court from which the language spreads. Unless the statutes are translated into the national language and the courts start using the national language, there can be no

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language which can be called the national language. My humble submission is, as I said the other day on the demand for grants relating to the Ministry of Education, even today, under the Supreme Court Rules not a chit can be read by the Supreme Court Judges unless it is translated into English by the official translator. Now we have got hardly three years more to go by when the target date of 15 years as mentioned in article 351 would be over and after 13 years under the Supreme Court Rules not a chit will be allowed to be read unless it is translated into English. So, my submission is some vigorous step is called for from the Law Ministry at this stage, as it is a duty assigned to them by the nation. It is not merely a matter of translating one book or other into Hindi, it is the question of the language of the country. Therefore, unless the functions of the Official Languages Commission are discharged by the Law Ministry properly, that would be a charge against them. This work has to be done by them, this work which requires the whole life and energy of a man, a man of the calibre of the Law Minister, a man of the youth of the Law Minister. If the Law Minister interests himself in this work, if he takes it up in a missionary zeal, if he decides that within three years or four years he shall see that every statute in this country, every law, every law journal, the Supreme Court rules and High Court rules, they are going to be in Hindi, and Hindi is going to be the national language. Hindi is going to be the court language, it shall be done.

One of the functions of the Law Ministry is to give advice to the various Ministries. The officers of the Law Ministry are well-trained people, good drafters. Nowhere is a draft of the Central Government found faulty except one or two here and there on small matters. They tender good advice and we cannot impute any motives to the law advisers for giving what they think as proper advice. They are qualified and well-trained people. So, I would appeal to the Law Minister that he should direct his attention to this question of the official language. He should bring pressure on the Cabinet to get sufficient staff for the Official Languages Commission and do his best to see that all the statutes and laws are translated into Hindi and also into other regional languages of various States, as it is the duty assigned to the Official Languages Commission. This is my first mission.

Secondly, I want to refer to litigation. The Supreme Court has, beyond doubt, set up some precedent. The hon. Member was reading the judgment of Justice Subba Rao. It is not only Justice Subba Rao but almost all the Judges of the Supreme Court deserve applause of the whole country, and they get that applause, for they have set up a precedent not only for this country but for the whole world. They are in no way inferior to the judiciary of any country, for they are above favour or prejudice. For them justice is paramount.

I would tell this House further that though we hear of corruption among the High Court staff, among the district court staff, we never hear of any sort of corruption among Supreme Court staff. It is an example which must be seen and examined as to why this cannot be introduced in the High Courts and why this cannot go to the district level. The reasons must be found out. What are the reasons which root out corruption from the Supreme Court staff? The same thing should be introduced in the High Courts also.

Shri Shivaji Rao S. Deshmukh (Parbhani): Do I understand that the insinuation is that in the High Courts the subordinate staff is corrupt?

Shri G. N. Dixit: I am not talking of the High Court Judges; I am talking of the staff. I am talking of tipping them for small work. I am talking of that. I do not know what you call it but in our side we call it *'haq'*. I am talking of that *'haq'* which is given for getting small benefits. You examine the position in your own High Courts and district courts. I know it is there in all those courts about whom I know except the Supreme Court which is entirely immune from this. I am talking about the other places from my personal knowledge.

If you can take this away from the Supreme Court, you can remove this evil elsewhere also. The hon. Law Minister has been a lawyer and the hon. Deputy Minister has been a lawyer; also, so many hon. Members in this House have been and are lawyers even now. They know from their personal knowledge how things happen in other places. This Supreme Court staff should be an example and this should be looked into and examined for rooting out this evil from other places also. This is my second submission.

My third submission is about the question which was raised by my hon. friend and which is the most important point on the point of litigation, that is, the appointment of the Attorney-General. I think, the hon. Law Minister was very right when he mooted this question, namely, that the most successful lawyer of the party in power should be the Attorney-General. This is what is happening in England and in every country which goes on the English system of jurisprudence or the English system of democracy. If it is happening elsewhere, the same system should be adopted in India also, that is, the most successful lawyer of the party in power should be the Attorney-General; he must go with the party and he must come with the party in power after the elections.

I do not agree with him on the question that the post of the Attorney-General and the post of the Law Minister should be combined. That is a question which has now been dropped and I need not make my submission on that. I also did not relish—none of the lawyers relished—the remarks in the Bulletin against the great lawyer, Shri Setalvad, who was the President of the Bar Association of India and of the Supreme Court Bar Association and who, acknowledgedly, was the leader of the Bar in this country—a man of sterling and the noblest character. Nobody liked those expressions. Anyway, that also is past history and I need not say anything on this also.

Dr. L. M. Singhvi: The report of the Ministry itself embraces past history.

Shri G. N. Dixit: I will say one thing more. My submission is that too many laws never do good to a country. Laws should be framed and passed to be respected. Two Constitution (Amendment) Bills come before us only for amending the age of the High Court Judges and for their transfers. It does not look nice that we give time for the same thing twice. Previously also the same question was agitated twice. The same article was passed once by the Constitution-makers and was amended later in 1954, coming up before us twice. This question, as was raised by some of my hon. friends of High Court and Supreme Court Judges, should be left at that. An attempt must be made that the High Court Judges remain independent, that their authority is unquestioned and that they do not come under the power of the civil servants. Civil servants to decide the question of age has been agitated by the Calcutta Bar Association and I entirely agree with them. When the question comes up here, this House will debate it, but my submission is that the Law Ministery must see, as

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is the sense of the House and so many hon. speakers have narrated that, because they are the lawyers and they have to safeguard and see that the judiciary is independent, that on account of that it is their job to fight this cause of the independence of the judiciary in the Cabinet and see that nothing should be done to impair that independence of the judiciary. Therefore no such laws or no amendment of the Constitution should be framed which brings down that independence of the judiciary.

Shri A. K. Sen: Mr. Deputy-Speaker, Sir, I am grateful to many of the constructive comments which have come from many quarters from both sides of the House. May I take the minor points first before I come to the major ones?

Mr. Trivedi referred to the election tribunals. I agree with him that election tribunals must do their work expeditiously and I remember, after I took charge of this Ministry in 1957, in consultation with the Chief Election Commissioner, we decided that every election petition must be disposed of within six months and we appointed as many election tribunals as were possible so that the work allotted to each tribunal was the minimum and the work could proceed expeditiously. I must say, the results are very encouraging. In 1957, almost a bulk of the election petitions—and they were in a large number—were disposed of with extraordinary speed. We were lucky in having some exceptional and brilliant judges who set excellent examples of merit, expedition and at the same time of confidence in those who were parties before these tribunals. The same experiment was repeated this time and I must say the results were equally encouraging. The complaints which have come—and one of them was from Mr. Trivedi himself—turned out to be really not due to these tribunals but due to higner courts which had given stay orders on appeals from interlocutory orders filed by either one party or the other. Therefore, this criticism should really be addressed to the High Courts and in one case, I think, to the Supreme Court where these matters got clogged and would not proceed quickly. I remember, in one or two cases, I had taken up the matter myself and had written to the Chief Justices concerned requesting them—and that is all that you can do—to see that these election matters were not kept hanging for a long time, as indeed in respect of many labour appeals in the Supreme Court sometime back. I have no doubt that excepting a very few cases, election petitions have been disposed of with fair speed and with good results.

Then, he has referred to the location of the Income-tax Appellate tribunals. Well, these locations were decided by the Presidents of the tribunals in consultation with the members having regard to the number of cases pending and being filed every month in a particular area. Some of the places have very heavy filings as also heavy number of cases pending. For instance, Bombay has the heaviest—the number of pending cases is 7372. Next comes Calcutta and next comes Delhi. Then, comes Madras and then Allahabad and so on. In fact, I remember, in one case, that is, Patna, we had abolished the location of the Bench there altogether in 1957 because the number of cases pending came dwon to such a level that the tribunal had to sit idle for at least two to three months in a year. We shifted the venue from Patna to Calcutta. Later on, there were strong representations to me and I was shown certain figures showing that the number of cases filed before the tribunal in Patna had increased and we shifted the Bench again back to Patna. Though we have not shifted it again, yet the case is one which has been engaging our attention because it seems that the tribunal has not enough work for some part of the year. So, we cannot decide these matters on territorial basis at all. We have to see that these Benches are located at places where the filings and the pendency would be the highest, and there is no fixity about them as with regard to the High Courts (because under the the Constitution every State must have a High Court), and we change them from time to time, but Bombay, Calcutta and Delhi must necessarily have more Benches than other places, because they have more cases, and the Delhi Bench looks after Punjab and a few of the surrounding areas and Rajasthan also. Therefore, I think that in these matters, instead of trying to define the location, it is best to leave it to the president who fixes the location of these Benches from time to time after taking into account all the facts and, I have no doubt, taking the opinion of the other members.

The next question that was raised was about the All India Bar. I am glad that the All India Bar has now got going. I originally thought that we should be able to inaugurate it before the elections of 1962. My efforts failed, and I must say that after the passing of the Act, we framed the by-laws and everything, and yet, some how or other, they got stuck in the respective States and in the respective Bar Councils, and I must say that our Bar Councils which are autonomous bodies have not shown themselves to be models of expedition either and they have competed with some of our governmental organisations in the matter of proceeding at what we may call fair speed and not break-neck speed.

Dr. L. M. Singhvi: Government set the pace.

Shri A. K. Sen: Therefore, I hope that these autonomous bodies would now proceed more expeditiously in the other matters which may be left outstanding. I have not really kept pace with the further progress of the Bar Council matters, ever since the Bar Council has been set up including an All India Bar Council. But I have no doubt that we have now fairly established the respective units and it has now got going. I remember that I got many complaints from new entrants to the Bar, particularly in Delhi, and they were telling me that they were not getting the certificates of enrolment because they had not been printed. I thought that that was rather strange, because it would not take much time to get the certificates printed. Anyway, these are matters, I think, which confront us always in the beginning, and I have no doubt that they will be overcome in no time.

Then, Shri Daji referred to the lack of a dynamic movement in the Ministry itself. He said that we should maintain and strengthen the rule of law. I am a very firm believer not only in the maintenance but also in the furtherance of the rule of law, because having been trained in law and having lived in the precincts of law courts all my life, and having dealt with law here too, I am absolutely convinced that one of the greatest merits in our system of government is the free legal system, which it sustains and which in its turn is sustained by the legal system, as also the fearlessness and independence of our courts. Without going into controversial matters, my heart was gladdened the other day when I read in Calcutta, in spite of my bereavement, a report sent from Delhi about the remarks made by a Russian sailor who had possibly won the preliminary contest in a battle for extradition. I do not know what the merits of the case are, nor do I intend saying anything about it. It has been decided by a judge. But when a foreigner said such great things about our judiciary and our legal system, I shared with the entire legal world not only a sense of excitement but a sense of pride in the fact that we have kept alive a true and fearless and independent judiciary which seeks no favour, which shows no favour, and which shows no dislike, and which shows no prejudice against anyone and which treats everyone as a saint. I make

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that remark because that takes me to the next point about Shri Daji's criticism of some action taken by the Finance Ministry about not taking any further steps in regard to the two insurance companies to which he referred. I am afraid I was not very familiar with the facts, and I had sent for the files. find that what was done was the only thing that could be done. There were certain auditors appointed with regard to two insurance companies on the complaint of some persons, one of whom at least appear sto have been dismissed by the company because of certain misbehaviour which has been mentioned also in the auditors' report. The auditors' reports mentioned certain instances of wrong conduct in relation to the affairs of these two companies. When these reports were placed before the Controller of Insurance, he asked for an explanation with regard to these matters from these two insurance companies. At that stage, when the Controller of Insurance was sending out the show-cause notice, as they call it—I am not very fond of this expression 'show cause notice', it is really a legacy of our courts; in any case, whether you term it an explanation or not, it seems the Controller called it a show-cause notice—It was sent to the Law Ministry and settled by the then Law Secretary, Shri Bhandarkar, a very eminent man, for whom I have the greatest respect. He settled the show-cause notice; because the original show-cause notice appeared to be very voluminous, almost as voluminous as the auditors' report itselfi he summadised it, saying that details should not be given on the show-cause notice—I should have done the same—but should be supplied if the company asked for them. On the show-cause notice, the companies sent their replies and then the Secretary of the Finance Ministry, Shri A. K. Roy—he is now Comptroller and Auditor-General—wrote that in view of the auditors' reports dealing with a mass of details and accounts and the companies' replies, it seemed the best thing would be, as a temporary arrangement, to appoint two directors, whom he mentioned, having experience in insurance matters. He mentioned the Central Government Solicitor in Calcutta in charge of insurance matters and a retired member of the Tariff Commission who appeared to be also a chartered accountant and who was on the board of management of LIC itself. The two were to become government directors, in the company and to report as to on whose shoulders the responsibility must be fastened, whether the company had located the responsibility, and if so, it has done correctly or not, and whether any further action was needed.

"Then, Mr. Ballia was degraded

It seems that after these two directors were appointed, they went into the affairs. I find that the member of the board of the LIC and *ex*-Member of the Tariff Commission wrote a very voluminous report—I have got it here. It is impossible to cover all of it. He has dealt with all these matters. What he mentioned was, that the auditors appear to have made the report without even asking the company for its explanation which, according to this gentleman, was rather odd, because many of the facts turned out to have been not recorded by the auditors when they reported, as it transpired later on from many of the records. For instance, many instances are mentioned: some amounts were recorded as having been lost in the course of transmission through the post office and so on; it transpired that the postal authorities admitted it, and the amounts were later on refunded by the company, as soon as it was detected, to the assured himself. There are various details. It is impossible to go into all of them. But the conclusion of the government appointed directors is given.

He says:

> "In respect of the above, the Board of Directors has already taken the following steps. Mr. N. L. Ketri

was retired for inefficiency. Mr. Padam Singh was dismissed."

—He is the gentleman on whose complaint it appears the original auditors were appointed—

> "Then, Mr. Ballia was degraded and then retired. The auditors of the company have been changed."

—because it seems the auditors brought it to the notice of the company and the Board of Directors only for the first time some time in 1955, two or three years after some of these things had happened.

> "Thus, the management has been completely changed by the Board of Directors. The Board of Directors is responsible for policy-making, and the Board depends on the Managing Director, the Chief Accountant, the other officers and the auditors, and they are all trusted officials, and such officials must be relied upon for the day to day conduct of the business. I, therefore, feel that the responsibility has been located and the persons concerned dealt with properly."

This was the report.

1641 hrs.

[MR. SPEAKER *in the Chair*]

Notwithstanding this, I find that the Finance Ministry sent the matter to us for opinion as to what further legal steps could be taken on the report of these Government directors, tht show-cause notice and the replies and so on. It was sent by the Finance Ministry together with the report of the Government-appointed directors, and one of the Joint Secretaries of the Law Ministry sent it to the Solicitor-General immediately without any comment on it. He only said:

> "Learned counsel may kindly see the note of the Department of Finance."

And then he ends up by saying:

> "Learned counsel is requested to consider the matter as appearing from the papers mentioned above and advise as early as possible as to what further steps may be taken by Government in this matter."

The Solicitor-General's advice in the two matters are two separate opinions, and it deals with all the items one by one, and it shows how far further action than what had already been taken with regard to these officers was necessary. Ultimately he ends up like this. It is a big opinion, dealing with all the separate items. He says:

> "In conclusion, I am of the opinion that the facts and circumstances do not establish a case against the company or its Directors. It now remains to consider the cases of persons mentioned in items (8) and (9) by the auditors themselves. Prof. Dasgupta has mentioned the steps that have been taken by the company. In my opinion, the company has taken appropriate steps. It will not be worthwhile to pursue the matter any further. The issue involved is not of much importance".

This is his opinion after it was sent by the Finance Ministry through us for opinion as to whether any further prosecution or action was necessary.

When this came, it was sent to the Finance Ministry, and the Finance Ministry acted on the advice of these Government directors and the Solicitor-General. I do not see how the hon. Member can find any fault in the procedure which has been adopted in this matter. After all, we cannot be expected to decide all these huge items of all these entries. Two expert directors have gone into it. They found action was taken against five of the responsible officers. The terms of appointment of the Government directors by the Finance Ministry I find are that they were not only to act

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as directors, but also to find out whether the company had located the proper responsibility and had taken proper action and then to report on that. We sent it to the Solicitor-General who reports that this has been properly done, that what action has been taken has been properly done. After that I do not see....

Shri Daji: In the provisions of the Companies Act, the Insurance Act and Foreign Exchange Regulations, criminal prosecution is provided for, Why was it not undertaken?

Shri A. K. Sen: That is exactly what I have tried to explain.

Shri Daji: No criminal prosecution was undertaken. Action against the management was not sufficient.

Shri A. K. Sen: The hon. Member does not expect me to prosecute! It was sent to the Solicitor-General, and he said nothing further could be done. He discussed all the evidence. I do not want to read, because it might be letting down some of the auditors' observations. It seems many of the observations were themselves later on negatived by facts. Many of the facts seem to be wrongly recorded by the auditors. Things that you have read out, it seems from the opinion of the Solicitor-General and the other report, are unsubstantiated....(*Interruptions.*)

Shri Daji: But the auditors were never asked how they came to their findings.

Shri A. K. Sen: They were.

Shri Daji: They were not.

Shri Vasudevan Nair: The *prima facie* case was established. What has the difficulty in having a judicial commission.

Shri A. K. Sen: I am not dealing with it. I have to act on the advice of competent persons who are employed for it. We cannot take responsibility. I have not gone into this and I cannot say anything more than what I have been able to read during these 20 or 30 minutes. Whatever case comes, we do not examine it; we send it to the proper persons.

Shri Daji: Since you have read from the opinion of the Solicitor-General, the same may be placed on the Table of the House.

Shri A. K. Sen: We are not going to do it; it has already been decided.

Shri Daji: Then it should not have been used. If I am reading from certain records and if I am asked to lay it on the Table on the House, I will place it on the Table of the House. If he has read he should place it on the Table of the House.

Shri A. K. Sen: No, Sir; I am not going to do so. There is privilege even in courts of law . . . (*Interruptions.*)

Shri Daji: Sir, I claim a ruling. The report from which the hon. Law Minister has been reading should be placed on the Table of the House.

Mr. Speaker: What has been read out is known to the Members. Ordinarily, if something is read out from any document, the Members can demand that the rest of it also should be placed on the Table of the House and that should be placed. But the Minister has this privilege. He may claim that it is not in the public interest to place that document on the Table of the House. If he claims it that is a different thing. Otherwise, if something has been read out from a document, normally it ought to be placed here.

Shri Daji: What could be the public interest in the case of an opinion given by a law officer about the company of a private person, Birla's companies? The Solicitor General gives an opinion. Where is the public interest involved in it? Except that it is the interest of Shri Birla himself, there is no public interest in it.

Mr. Speaker: That is my difficulty. As the provisions stand at present, it has been left to the Minister to decide.

Shri Daji: Let him say that Birla's interests are public interest.

Shri A. K. Sen: I find that these matters were referred to last year when your predecessor was in office. I find from the records that there was a demand of this kind and the Finance Minister then said that he was not going to place all that containing many secret things. Your predecessor agreed with him and he refused. How can I do so now? These are Finance Ministry's files. He suddenly raises some points without giving me notice and I reply to it. Now, he suddenly asks me to put it one the Table. I have not even had the chance of consulting him. I also know from records that when a similar suggestion was made, the Finance Minister said that he was not going to place it as there are so many secret things.

Shri Daji: What are the secret things?

Shri A. K. Sen: We are not going to disclose. The hon. Member cannot ask me.

Shri Daji: Unless our suspicions.... (*Interruptions.*)

Shri A. K. Sen: The hon. Member may harbour the suspicion not withstanding my effort to dispel it.

Shri Daji: To dispel it I want you to place the document; otherwise the suspicion continues.

Shri A. K. Sen: I am replying to that much; I am not concerned with this matter at all. Hon. Member raised it in a very indirect manner instead of raising it with the Finance Ministry . . . (*Interruptions.*).

Shri Shivaji Rao S. Deshmukh: Sir, the hon. Minister with all his kindness refers to a particular piece of document, voluntarily, without being pressed by anybody. The constructively at least, the Minister should be deemed to have waived that privilege for not laying the document on the Table of the House. When once that is done nothing remains in the hands of the Minister to refuse to place that document on the Table of the House because it belongs to somebody else's Ministry. He has voluntarily referred to the contents of the document.

Mr. Speaker: The practice followed up to this time is that if a Minister or a Member refers to some document and reads out certain portions, then a demand can be made that the whole of it must be placed on the Table of the House. That demand is justified, but the Ministers of the Government have that privilege: they can claim the privilege that it would not be in the public interest and they do not propose to place it there. They have that privilege. Therefore, I cannot deny them. The Government has to decide it. If one portion is read, then it is not compulsory for the Minister to see that the whole document or the report must be placed on the Table of the House. If the hon. Member can convince me by quoting any other rule, I shall consider.

Shri Shivaji Rao S. Deshmukh (Parbhani): Under the normal law of the land, this must be applied.

Mr. Speaker: We go by the rules. All the laws of the land do not apply.

Shri Shivaji Rao S. Deshmukh: I think that the doctrine of waiver applies here.

Shri Daji: First of all, the Finance Minister said in 1961 that he had not used that document. The question was simply posed, "that the report is

[Shri Daji]

there and will you place the report on the Table of the House?" He said he would not like to place it. It was in 1961. Then, on the 14th March, he gave a reply that he proceeded with it on the advice of the Law Ministry. Therefore, I raised the question and now, in reply to me, the Law Minister has read out, and having read out, he wants to take cover under the report of the Solicitor-General and say that the Solicitor-General's report actually contradicts the report of the auditor and he wants to take cover behind that. That is the first point.

Secondly, may I point out to you and to the House that upto this minute the Law Minister has not claimed privilege under the plea that it is not in the public interest. He cannot claim it. He knows that he cannot claim it. He has only said that the file belongs to the Finance Minister and therefore he is not placing it. That is no reason. (*Interruption*).

Mr. Speaker: Order, order. I will only read the rule that is there. Then the Members might understand.

Shri Gauri Shankar Kakkar (Fatehpur): The hon. Minister has not claimed that privileges in the beginning. He actually read out portions and based his argument on that. So, that claim of objection cannot be raised.

Mr. Speaker: That does not apply.

Shri A. K. Sen: May I submit that every time I get up, three hon. Members there get up and I was not given a chance to speak half the sentence even.

Mr. Speaker: I was about to read the rules. It does not mean that because he read out a certain portion, the whole privilege has to be waived and that the other portion must be laid on the Table of the House. I might read rule 368. The hon. Members might also consult it. It says:

> "If a Minister quotes in the House a despatch or other State paper which has not been presented to the House, he shall lay the relevant paper on the Table:

That is the first part of the rule. Then:

> "Provided that this rule shall not apply to any documents which are stated by the Minister to be of such a nature that their production would be inconsistent with public interest:"

Shri Daji: It is Birla's interests. Not public interest. They are not the same as public interest. These are two different things. Let us not rub one with the other—Birla's interest and public interest.

Shri Gauri Shankar Kakkar: The latter portion does not relate to the document. (*Interruption*).

Mr. Speaker: There are the papers. There is the correspondence that has passed on between the Government and the Attorney-General. My one difficulty is that I came in the middle and I do not know what had happened before I arrived here.

Shri A. K. Sen: You were not here then. The whole point was he said it in a most indirect manner. I could have refused to do so, but I did not want to give the impression that we are trying to hedge anyone. This matter was first raised by Shri Daji possibly in a very ingenious way, and I would have objected to it then and there. But I did not want to do so. He said that the advice given to the Law Minister was defective and I explained the facts saying that what has happened is that after the report of the director the matter came up to us for opinion as to what further legal action can be taken. It was sent to the Solicitor-General whose opinion I said—at the end of it I quoted it—was that in the circumstances no further action can be taken or should be taken. Now, after having said so, he suddenly jumped up and asked that it must be laid on the Table of the House. One thing is to have a demonstrative rally outside the House.

Shri Daji: Sir, on a point of order. I object to that. This is most objectionable.

Mr. Speaker: Order, order. I am going to ask him that this should not be said in that manner. I myself was going to say that.

Shri A. K. Sen: I am entitled to make my own observations, but.

Mr. Speaker: This sort of reflection should not be made—that this is a demonstration or a rally.

Shri A. K. Sen: It has been said so many times. I told the facts that this file belonged to the Finance Minister and I had not even a chance to consult it because no notice was given to me prior to this thing. What I said was that I find from the record that the Finance Minister refused to lay it on the Table previously on the ground that the entire matter relates to many other things—the conduct of some of the auditors and various other things—which are not in public interest to be laid on the Table of the House, because it may again involve many other things. On the top of it, the protest comes that it is not the interest of the public, but the interest of the Birlas, as if we are trying to hide something. Nothing is to be hidden in this House or outside. I strongly protest against this insinuation. The insinuation first came from that side. I said, therefore, according to me those things were loudly proclaimed on the floor of the House just for the purpose of giving the impression outside that they are doing their duty. I am entitled to say so.

Shri Daji: On a point of order.

Mr. Speaker: Maybe, but let him finish his sentence.

Shri A. K. Sen: The hon. Member shouted five times that we are trying to hide the Birlas, more or less challenging the bonafides. I find from the files that last time the Finance Minister refused to place it on the Table of the House. How can I, without consulting him, waive that privilege?

Shri Daji: My only objection was this. I do not want to go into details. I objected when he imputed personal motives of propaganda outside the House. This is something really very personal; it is hitting me below the belt. You were pleased to say that this should not be done, but he has again repeated it.

Mr. Speaker: Later on he did not repeat it; he said that the insinuation had come from this side first.

Shri Daji: What insinuation?

Mr. Speaker: That the Government was hiding something in the interest of Birlas and not in the public interest. That is what he is saying.

Shri Daji: I said, on the face of it the matter relates to two companies of Birlas. If you claim privilege on grounds of public interest, I said, at best it may be Birlas' interests; how is it public interest? I did not make any insinuation against the Minister. But the Minister is making the insinuation that I speak on the floor of the House not for the enlightenment of the House but for outside propaganda. What does it mean? If this sort of reply is to be given, no debate can take place.

Shri A. K. Sen: The language I used was, it may have a demonstrative value outside, but it makes no impression here.

Mr. Speaker: That also implies that what has been said here is in connection with that and with that objective. Now, he may proceed further.

Shri A. K. Sen: I said, in the absence of the Finance Minister, this allegation was made. It was my duty at least to say that there was nothing in that. The reason why the Solicitor-General's report was not placed on the Table of the House on the last occasion was, the Finance Minister thought that it involved so many other things relating to the internal working of the department that it was not in the interest of the public that all these matters should be placed on the Table. It is enough to say for the enlightenment of the House that even after the Director's report was sent to the Solicitor-General, his opinion was that no further action need be taken, and the five persons who were dealt with were properly dealt with and responsibility has been properly located. What is wrong in that? I was very pained when the hon. Member shouted five times that the Government was trying to hide something. I really felt pained at that. I am sorry if I have hurt him, because I never meant to say that he was carrying on propaganda here.

Shri Rajeshwar Patel (Hajipur): I rise on a point of privilege. The Minister said that he wants the House to accept the decisions of the Government on the basis of a report by the Solicitor-General.

Shri A. K. Sen: I did not say so.

Shri Rajeshwar Patel: That is what he is supposed to have said. The privilege involved is that the Minister says that basing his judgment on the finindgs by the Solicitor General, there is nothing in the matter. We are supposed to accept that. But there are members who have reasons to believe that probably everything is not well. Don't you think, Sir, that it is the privilege of the House to know what is contained in the report of the Solicitor General and it should be made available to the Members?

Mr. Speaker: I do not think there is any question of privilege that arises here. Government takes up an attitude that it is to be guided by the expert opinion of some persons at least. There was a case. They consulted their experts in that branch of knowledge. The advice that was given to them—of couse, they were not bound to disclose it—has been mentioned. They came to a certain conclusion. The Ministers are responsible to the House for whatever they do. If the House does not agree, there are other remedies that the hon. Members might take. But the plea of the hon. Minister is that they have consulted their legal advisers and arrive at a conclusion that there is nothing in this case that they can take up or they can succeed if it is pursued.

17 hrs.

Shri A. K. Sen: May I say, Sir that that was in answer to the hon. Member who openly said that he was demanding an explanation. He quoted an answer of the Finance Minister that the Finance Ministry had taken this action on the advice of the Law Ministry. He wanted to know whose advice it was. He said that he wanted an explanation from us as to under what circumstances that opinion was given. In answer to that, is it not my duty to disclose those facts? Because I disclosed those facts, I am asked to explain something else. There is no question of my asking anyone to accept what is inside that report or anything of that sort. All that I said was in answer to the open demand made for an explanation as to the circumstances under which that advice was given to the Finance Ministry. That was the position, if I remember correctly, because we are not concerned with the merits of the case. He was asking for an enlightenment as to whose opinion it was in the Law Ministry and under what circumstances it was given. I gave him those facts, that it was the opinion of the

Solicitor General, and I also mentioned the circumstances. In fact, I did not know anything till the file came. In future, Sir, if any particular advice is sought to be made the subject matter of a question, I shall be very happy to answer it.

Shri Ansar Harvani: Is he laying it on the Table?

Shri A. K. Sen: It is for the Finance Minister to decide, because it is really a document of the Finance Ministry. As I said, it was really in answer......

Mr. Speaker: But, there is one difficulty, and the hon. Law Minister would kindly appreciate it. He says that the Finance Minister would decide whether it is to be placed on the Table of the House. But when he uses that file and quotes excerpts from it, then he becomes responsible. He should directly claim the privilege or lay it on the Table of the House, because at this moment at least he has utilised that file and he has read some portions out of it.

Shri A. K. Sen: Even after your ruling, Sir, Shri Ansar Harvani asked: "Is he laying it"?

Mr. Speaker: I have been requesting him to proceed further.

Shri A. K. Sen: I did not hear you, Sir, otherwise I would not have answered it.

The next point is, Shri Daji said that we are undermining the judiciary in some way. I hope nobody does it, because it will be the end of our democracy if the judiciary is undermined and it will serve nobody's purpose if the judiciary is weakened or undermined in any way whatsoever.

Then, he mentioned about a distinguished professor being hadcuffed in Calcutta and being paraded. I am very sorry to hear it, because I do not think it is in consonance with the police rules to handcuff anyone and take him to the courts pending his trial unless he either becomes rough or tries to escape.

Dr. L. M. Singhvi: I submit, Sir, that this is known to be done time and again by various authorities. It may be wro ng, but it is done. We only regret that the Law Minister is not aware of it.

Shri A. K. Sen: I am not aware of it. If it is done......

Dr. L. M. Singhvi: Only a week or two ago it was done in Rajasthan—the President of the DPCC was handcuffed......

Shri A. K. Sen: The hon. Member's constituency is involved. The only remedy is to inform the superior authorities immediately.

Shri Daji: That can be done only afterwards. A Punjab M.L.A. was handcuffed and paraded. Even the Speaker there objected to it.

Mr. Speaker: There both the hands were handcuffed. The controversy is stil lgoing on.

Shri A. K. Sen: If anyone ignores the police and jail regulations and handcuffs a prisoner contrary to the rules, one has to investigate the charge. We do not know what the facts are in a particular case.

Shri Daji: Under the Police Regulations it is left to the person who takes him into custody to decide whether he can take him safely. If the policean thinks that he cannot safely take him he can handcuff him.

Shri A. K. Sen: Unfortunately, we have to give latitude to the police officers. If a man becomes violent or tries to escape on the way what can the policeman do? Who else can decide it? He cannot report it to somebody else. But the discretion of the policeman in the matter can be inquired into by a superior officer. He will hear the person and decide whether the policemen was rough or not

Shri K. C. Sharma: The nature of the offence has also something to do with this.

Shri A. K. Sen: As I said, in individual cases, the breaking of the police regulations are bound to occur, and the remedy for it is to inform the sueprior officers immediately so that proper action may be taken against those persons.

Next I come to delay in trials and the prohibitive costs. I have been one with many of the hon. Members of the Opposition and of this side in feeling that we have not really tackled yet successfully this problem of delay in our courts and the problem of prohibitive costs. The Finance Minister has just gone out. I was just going to make my point in his presence, because he has not fully agreed to legal aid for quite a long time. Now the emergency has come, it is very difficult to expect any financial assistance for legal aid to the poor. In the Western countries I have found, particularly in England, the system of legal aid has been worked out in such a scientific manner that the poor really feels no pinch, because the burden of his cost in law courts, including even divorce applications, would come within the ambit of legal aid. In fact, in England the fees are much more than here. Possibly, it will continue to increase in this country, as the prices increase and the cost of living goes up.

Shri Harish Chandra Mathur (Jalore): What is your estimate of requirements for this scheme?

Shri A. K. Sen: We have not been able to work it out. Unless we start, it is very difficult to say how many people are entitled to such aid. It has to work at least for some time.

Shri Harish Chandra Mathur: What was your demand on the Finance Ministry?

Shri A. K. Sen: The scheme was that in the States 50 per cent of the cost should be subsidised by the Centre and so on. We placed this scheme before the House, but the difficulty is that we have not been able to get going at all due to stringency in our financial resources, and now that the emergency has come, I do not expect things to improve at all. The only way to remedy the evil of prohibitive cost is, I am afraid, legal aid to the poor, because you cannot expect lawyers to work free, nor can we build up a good bar which is a free bar. That is impossible. Because, as I said once, the lawyers can hardly become a community of *sanyasis*. We have to face realities and make the system of legal aid scientific and applicable all over the country.

Mr. Speaker: Shri Sinha says that today the Law Minister appears like a *Sanyasi*.

Shri A. K. Sen: There are occassions when possibly all of us have to become *sanyasis* for a little while.

Mr. Speaker: We do not expect him to take it up that soon.

Shri A. K. Sen: Not he; then we shall be helpless if he leaves us.

Shri Ghosh referred to the appointment of a committee for reporting on Muslim law. He says that it was wrong to refer to the state of laws in other Muslim countries. I do not think there is anything repugnant to our sovereignty or anything which is below our dignity in trying to study the Muslim law as is now functioning in other countries like Egypt and other trans-Muslim countries. We know it for a fact that their population is entirely, or predominently, Muslim. The old *Shariat* law has suffered many changes to suit modern conditions.

Here, in this country, we are usually very careful in dealing with the minorities, even to the point of being over-tolerant. I think, we should always err on the wrong side when dealing with minorities rather than try to be overzealous in speeding up with our ideals of reform touching the minority communities. It is, therefor, necessary to appoint a committee first of all composed mostly of experts to report on what changes are desirable in the Muslim law applicable to this country, particularly in the field of monogamy, divorce and so on, because they are really meant for the protection of our women. In many Muslim countries divorce has become difficult and monogamy has become the law. There is no reason why this should not be the law with regard to the Muslims in India also. In any event, before we take any decision, we should try to have the opinion of experts. We expect to appoint a majority of Muslims on that Committee, if not wholly.

Shri Yashpal Singh said about our judges' salary being increased and their remuneration and other amenities being made moro attractive. I am sure, most of us will agree with him; but when it is a question of finding more money, it is always a difficult proposition, whether it is judges or others. But I am one of those who believe that if we are to have a good and independent judiciary, we must make the employment of judges an attractive proposition so that the best talent from the bar and from the service is attracted to the Bench and we keep them above the minimum wants of life. In expensive cities like Bombay and Calcutta I know that judges who have to pay for their own flats and who do not own houses themselves are in a terrible state. One Judge was telling me that out of Rs. 2.200 and odd that he got, he had to pay more than Rs. 1,000 for his flat in Calcutta.

Shri K. C. Sharma: They should be given free houses.

Shri A. K. Sen: He also told me that the Tribunal which has assessed the rent of the house requisitioned by the Government has increased the rent to above Rs. 1,200 to Rs. 1,300. The poor Judge told me that he would have to leave that house because out of Rs. 2,200 that he got to pay Rs. 1,300 for the flat would be impossible. So, we did recommend some time back and the Government took a decision that in such places the Government should make available houses to our judges at P.W.D. rates so that they do not pay more than what others pay in other areas under the P.W.D. regulations.

Let us hope that the judiciary will continue to attract the best talent from the Bar and that we shall not grudge some extra payments or other amenities and other things to our judges. After all, it is not an expensive thing for a country to spare and we should not be stingy in our dealings with our judges because they not only deal with the vital rights of the ordinary citizens but they have also to decide matters of very great consequence touching the States, the Government, the authorities and many of our most important pieces of social legislation.

The last point that I will take is that of Shri Tyagi, that is, the demand for integration of judicial service all over the country. All the States have voted against integration particularly the services themselves. In the last Law Ministers' Conference held in 1960 at Srinagar, all the State Ministers representing their respective States voted against integration of the judicial services. It was one of the recommendations of the Law Commission, that is, to set up an All-India Judicial Service, like the Indian Administrative Service. In view of the opposition of the State Governments and of the services themselves, it was hardly proper or possible for the Union Government to proceed with any idea of integration particularly when the administration of justice is

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a State subject under the Constitution.

Shri Sinhasan Singh (Gorakhpur): The services also opposed it?

Shri A. K. Sen: Yes, because they thought that in an all-India picture, some of the ...... (*Interruption*).

Shri Harish Chandra Mathur: Services Conference or what?

Shri A. K. Sen: The services sent representations immediately after the Law Commission made the recommendation. When they knew that the Law Commision's recommendation for integration was under the active consideration of the Law Ministers' Conference they sent memoranda from almost every State, particularly from the smaller States. They thought in States like Assam and Orissa and other places, that people from Kerala and Madras and other places will swarm the judicial services. This is the position. It being a State subject, it is impossible to integrate. These are the points.

Shri Yashpal Singh: Something about court fees.

Shri A. K. Sen: This is again a State subject. The matter was raised in the Law Ministers' Conference held in 1960.

Dr. L. M. Singhvi: What about the institution of parliamentary Ombudsman?

Shri A. K. Sen: I am coming to that. All the State Governments voted against the abolition of court fees because that is such an important item of revenue for the States that they thought that it would be impossible for them to run the courts and the judicial administration without court fees. I am at one with the hon. Members here in thinking that charging of *ad valorem* fees for giving justice to citizens is atrocious. I am personally against court fees being charged from citizens who come for justice. Justice should be a matter of course. Rich are taxed in other way. But when you make justice saleable for a price, it takes away a good deal of the beauty and dignity of justice as we conceive it to be.

Shri Harish Chandra Mathur: The Law Minister says it is atrocious and he feels strongly about it. Has he moved the Central Government about it? In many cases the Central Government pays sums to States.

Shri A. K. Sen: I am only giving my opinion.

Shri Harish Chandra Mathur: Then that is the Governments' opinion.

Shri A. K. Sen: The State Governments are against it and it is entirely within the province of legislation on court fees. I think that appeal should be addressed to the Finance Minister really. The Finance Minister himself feels that litigation should not be free. We have our own differences of opinion on that. There are many in Government and out of the Government who feel that litigation, if made free, would encourage more litigation. There is that point.

Shri Daji: As the Finance Minister believes in prohibition and sticks fast to it, you also stick fast.

Shri A. K. Sen: I am giving expression very openly because I personally feel that court fees should never be levied and justice should never be purchased.

About the question of parliamentary Ombudsman, this is a new institution of all the Parliamentary democracies. Sweden is the only country which has the system of Ombudsman. New Zealand appears to have borrowed that system very recently. How far it has functioned there, we do not know. In Sweden it seems to have functioned successfully. In point of time, Sweden had this institution first and in the English-speaking world, New Zealand is the only country which has adopted this. None of the other countries having an Anglo-Saxon system of law has adopted the system of Ombudsman. England has definitely set its face against any institution of Ombudsman. They feel that parliamentary control and the force of public opinion are strong enough to control all the excesses of public authority.

Shri Harish Chandra Mathur: I think, they are considering it now.

Shri A. K. Sen: Well, a volume of opinion seems to be against it from what I have appreciated in the course of my talks with leading personalities there. The United Nations Seminar on Human Rights in its coming session in Canberra would be debating this as a subject for this region. This has been discussed in some seminars here; also in the last Third All India Law Ministers' Conference. I do not think it has been considered at any government level up till now. There are difficulties in this country. We have a federal structure and then, as it is, we find that even amongst ourselves, we often suffer from the idia of seclusiveness and exclusiveness which make us rather afraid of anybody else's touch. How far the setting up of any impartial authority like the Ombudsman, unless it has an authority almost like that of the Prime Minister,......

Dr. L. M. Singhvi: We could recommend it.

Shri A. K. Sen: In this country how far it will be able to succeed, it is very difficult to say. For, he must have a status which would be higher than that of ordinary secretaries to the Ministries.

Dr. L. M. Singhvi: I want to know whether Government are inclined, aware as they are of its implications to consider this matter?

Shri A. K. Sen: That is for the Prime Minister. I can only say what difficulties and what reflections I have in my own mind. About the Government's point of view in this matter. I think that the question should be adressed to the Prime Minister. himself because I cannot answer for this Government on an important matter of policy like this, particularly when Government has not considered this point up till now at the governmental level at all, and we have only heard discussions on this, and we have informally discussed it. Whether it will be ever discussed in the near future, particularly, during the emergency is a very difficult matter to say, because during the emergency, many extraordinary powers have to be employed, which cannot possibly coexist with the system of Ombudsman. So, there are various points of view to be considered, and all that can be said is that this matter should be kept under consideration. And Parliament may discuss it from time to time. Possibly, a resolution may be moved, a non-official resolution on which possibly it will be answered by the Prime Minister himself; and then, we might carry on thinking on this subject, seeing at the same time how it succeeds in a system of parliamentary democracy like that of England or New Zealand or ours where there is a very strong Parliament and a strong judiciary......

Dr. L. M. Singhvi: I quoted Lord Denning.

Shri A. K. Sen: Lord Denning has not convinced his own countrymen; he himself told me.

Dr. L. M. Singhvi: That is not the only test by which we can go.

Shri A. K. Sen: As I said, these theoretical discussions really do not carry us very far, because we have to see each facet of governmental organisation and see how the Ombudsman will really make itself effective; it is no good setting up an office unless it has the necessary authority. We have to see whether a constitutional provision should be made or not.

In this country, my own view is that to make it effective, a constitutional provision should be made, as for the office of the Election Commissioner or the office of the Comptroller and Auditor-General. So, there are many things which have to be considered. All that I can say is that from the legal point of view, my view on the legal side of the matter is that we have to amend the Constitution to set up any such office and define its functions and

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possibly even the procedure which it has to follow. Unless the functions are defined it will be difficult for the officer to function. For instance, in the case of the Comptroller and Auditor-General, his functions are defined, so that he knows that with regard to those functions he has the constitutional backing. Otherwise, each time he tries to appropriate a function it may be questioned and it may be stated 'This is not within your purview'.

So, I think that if you really want to set up an effective organisation or authority like the Ombudsman with over-riding powers, and spreading over the entire field of governmental activity, you will have to give him some constitutional position. So, that is the only matter on which I can enlighten the House. With regard to the question of policy, as to whether we are going to adopt such a method or not, it is entirely for the Prime Minister to express the views of the Government on the subject. Government as a whole has not considered it yet

Before, I take my seat, I want to thank once again the hon. Members for their most constructive suggestions. Shri Daji is not here....

Shri Vasudevan Nair: We are here.

Shri A. K. Sen: I would like to tell him also once again that I meant no personal reflection against him when I made that remark. Possibly, I had worked myself up a little with regard to some of his own remarks, but really no personal reflection was meant. I have no doubt that he was trying to do his best in regard to this matter.

An hon. Members: What about the Official Language (legislative) Commission?

Shri A. K. Sen: I did not specifically want to say anything about the Official Language (Legislative) Commission, because I agree with the hon. Member that we should carry on with speed, but more than that, I cannot say anything. It is all right to say 'Appoint more officers', but we must take into account the fact that we are also at the same time trying to economise now, and there is an overall direction that no new officers should be appointed. I agree with him that if we have to achieve the object of quick translation within the next ten years we have to increase our staff, but then we have other necessities and we shall have to keep them in mind. I for one feel that this work should have been proceeded with expeditiously long ago, and in starting the work only in 1961, We had not proceeded so expeditiously. In fact, when I came and took up the responsibility of this Ministry, there was hardly any work done except that there were one or two translators in the Law Ministry itself. We se up a commission some time in 1961, and we have put a very excellent man as the chairman, who himself is a scholar on the subject.

I am satisfied myself with the work that has been done till now in the course of less than 1½ years. First of all, accommodation had to be secured. There are all sorts of difficulties. For months and months, they were spread out all over the place. Now we have some location. I hope that even with the existing staff, as we find our feet, the work will possibly show a letter volume and output. With regard to the employment of more staff, what can I say? It is really again for the Finance Ministry. All that I can say is that if in the future, a year or two hence, we find that we can increase the work much more effectively by employing a few more competent officers, we shall certainly try to do so.

With regard to the objective, we have no difference of opinion whatsoever, because I do not want to tinker with this problem. I have undertaken this work which should be done with the utmost expedition and with the greatest amount of sincerity. We are not doing it just to please somebody here or there. We have to develop the Hindi literature of law, Hindi texts of law and Hindi legal translation as quickly as possible and as sincerely as we can.

Dr. L. M. Singhvi: Do Government propose to set up a department or some machinery to study and analyse social legislation in its working and in its implementation in the country. He might briefly say something about it.

Shri A. K. Sen: For that purpose, my view is that an extra governmental organisation is better suited. That is why have been assisting the Law Institute.

Dr. L. M. Singhvi: Not sociological law.

Shri A. K. Sen: It is one of their programmes to carry on research in that....

Dr. L. M. Singhvi: Not so far.

Shri A. K. Sen: ....and suggest legislation with regard to new topics of social laws to meet new needs. It is not easy for any government, far less ours, to enter into the field of research. In every country, government-sponsored, semi-governmental organisations or autonomous organisations carry on research. We have given substantial assistance to the Law Institute. We are trying to develop it as a good institution of legal research, to carry on fundamental researches in law. We are trying to develop in other areas; we have appealed to State Governments also. Unfortunately, the hon. Member forgets that the emphasis today is not on law at all but on more dams, more power, more steel, more factories and so on. We, lawyers, are not a very popular community at the present moment.

Mr. Speaker: The question is

"That the respective sums not exceeding the amounts shown in the fourth column of the order paper, be granted to the President, to complete the sums necessary to defray the charges that will come in course of payment during the year ending the 31st day of March 1964, in respect of the heads of demands entered in the second column thereof against Demands Nos. 75, 76 and 77 relating to the Ministry of Law".

The motion was adopted.

17·29 hours.

MINISTRY OF COMMUNITY DEVELOPMENT AND COOPERATION

Mr. Speaker: The House will now take up discussion and voting on Demand Nos. 6, 7 and 114 relating to the Ministry of Community Development and Co-operation for which 5 hours have been allotted.

DEMAND NO. 6—MINISTRY OF COMMUNITY DEVELOPMENT AND CO-OPERATION

Mr. Speaker: Motion moved:

"That a sum not exceeding Rs. 26,88,000 be granted to the President to complete the sum necessary to defray the charges which will come in course of payment during the year ending the 31st day of March, 1964, in respect of Ministry of Comunity Development and Co-operation."

DEMAND NO. 7—COMMUNITY DEVELOPMENT PROJECTS, NATIONAL EXTENSION SERVICE AND CO-OPERATION

Mr. Speaker: Motion moved:

"That a sum not exceeding Rs. 3,62,52,000 be granted to the President, to complete the sum neces-

[Mr Speaker]

sary to defray the charges which will come in course of payment during the year ending 31st day of March 1954, in respect of the 'Community Development Projects, National Extension Service and Co-operation."

DEMAND NO. 114—CAPITAL OUTLAY OF THE MINISTRY OF COMMUNITY DEVELOPMENT AND CO-OPERATION

Mr. Speaker: Motion moved:

"That a sum not exceeding Rs. 29,33,000 be granted to the President to complete the sum necessary to defray the charges which will come in course of payment during the year ending the 31st day of March, 1964, in respect of 'Capital Outlay of the Ministry of Community Development and Co-Operation'."

Does any Member want to move the Cut Motion?

The Members are absent. The Cut Motion is not moved.

श्री समनानी (जम्मू तथा काश्मीर) : जनाब, मैं ने और बहुत से मेम्बर्ज ने दरख्वास्त दी थी कि इस मिनिस्ट्री की डिमांड्ज पर डिस्कशन के लिये टाइम बढ़ा दिया जाये ।

अध्यक्ष महोदय हम पर जो हदूद लगी हुई हैं, उन के अन्दर टाइम को बढ़ाने में मुझे कोई एतराज नहीं है । जितनी देर आप शाम को बैठना चाहें, उतना ही टाइम बढ़ाया जा सकता है । इस में मैं आप के साथ हूं । लेकिन उस वक्त यह एतराज न उठाया जाये कि हाउस में थोड़े से मेम्बर्ज रह गए । अगर आप तैयार हैं, तो मैं भी तैयार हूं

श्री इन्द्रजीत लाल मल्होत्रा (जम्मू तथा काश्मीर : यह कल सारा दिन मंत्रालय चलेगा । मिनिस्टर साहब परसों रिप्लाई कर सकते हैं ।

अध्यक्ष महोदय : कल देखा जाएगा । आज क्या आप एक घंटा और बैठना चाहते हैं—

कुछ माननीय सदस्य : नहीं नहीं ।

अध्यक्ष महोदय : और बैठने के लिये भी आप तैयार नहीं हैं । मैं कहां से वक्त निकालूंगा ?

श्री सरजू पाण्डेय : (रसड़ा) : अध्यक्ष महोदय, इससे पहले कि मैं अपनी बात पर आऊं मैं आप से एक निवेदन करना चाहता हूं । मैं ने आज ही कट मोशन दी हैं और मैं चाहता हूं और आप से निवेदन करता हूं कि इनको एडमिट कर लिया जाये —

अध्यक्ष महोदय : आज ही क्यों दी है ? इतने पुराने मैम्बर हो कर आप—

श्री सरजू पाण्डेय : बाहर चला गया था ।

हमारे सामने सामुदायिक विकास तथा सहकार मंत्रालय की मांगें उपस्थित हैं । सभी इस बात को मानते हैं और मैं भी समझता हूं कि इस देश की आर्थिक प्रगति के लिये इस मंत्रालय का बड़ा योगदान हो सकता है । हमने अपने देश में समाजवादी समाज व्यवस्था की स्थापना का व्रत लिया है और साथ ही साथ यह कहा है कि हम मुल्क का विकास प्रजातांत्रिक तरीके से करना चाहते हैं । ऐसी स्थिति में इस मंत्रालय का महत्व और भी बढ़ जाता है ।

इस मंत्रालय की जो रिपोर्ट हमारे सामने है वह बहुत चमकती हुई तस्वीर हमारे सामने उपस्थित करती है । इसमें यह बतलाने की कोशिश की गई है कि इस मंत्रालय ने इस पंचायत राज के सिलसिले में, और कोआप्रेशन के फील्ड में काफी प्रगति की है, बड़ा काम किया है । सामुदायिक विकास के बारे में भी कहा

गया है कि काफी काम हुआ है । मैं समझता हूं कि रिपोर्ट में इन सब बातों को बहुत बढ़ा चढ़ा कर पेश किया गया है और स्वयं मंत्रालय के लोग भी इसको महसूस करते होंगे ।

इस विभाग के जिम्मे पंचायत राज, सामुदायिक विकास और कोआप्रेशन ये तीन मुख्य काम हैं । सब से पहले में पंचायत राज को लेता हूं । इस में कोई शक नहीं है कि हम ने पंचायतों की स्थापना कर के इस बात का प्रयत्न किया है कि गांवों के लोगों को शासन के कामों में हिस्सा लेने का मौका दिया जाये । लेकिन में देखता हूं कि बहुत से राज्य ऐसे हैं जहां पर पंचायत राज की स्थापना अभी तक नहीं हुई है । रिपोर्ट में भी इसका जिक्र किया गया है । यह भी इस में कहा गया है कि जिन राज्यों में इनकी स्थापना हुई है, वहां पर भी काम सही मानों में चल रहा है, ठीक ढंग से चल रहा है और जिस उद्देश्य से उनकी स्थापना की गई थी, वह पूरा हो रहा है ।

17.32 hrs.

[MR. DEPUTY-SPEAKER *in the Chair*]

पंचायतों की स्थापना के बाद हम देखते हैं कि गांव की एकता में काफी फूट पैदा हुई है और कहीं कहीं तो गांव पंचायतों के चुनाव में, जिस तरह से बड़े इलैक्शन में जातपात और दूसरी तरह की बुराइयां उभर आती हैं, उसी तरह वे बुराइयां इसमें भी उभर आई है । गांवों की एकता को इन चुनावों ने काफी हद तक धक्का पहुंचाया है, बरबाद किया है, कहीं कहीं तो लाठियों का प्रयोग भी इन चुनावों में हुआ है । उद्देश्य इन पंचायतों का बहुत अच्छा है, इसको मैं मानता हूं । मैं यह नहीं कहता हूं कि गांव पंचायतों के चुनाव न कराये जायें । लेकिन मैंने पहले भी कहा था और आज फिर कहना चाहता हूं कि पंचायत राज का जो कानून है, उस में एकरूपता होनी चाहिये । हमारे सूबे को ही आप लें । वहां पर सभापति का चुनाव तो सीक्रेट बैलट से होता है लेकिन मैम्बरों का चुनाव हाथ उठा कर होता है । नतीजा यह होता है कि गांवों के वे लोग जो बहुत शक्तिशाली होते हैं, या लठैत किस्म के होते हैं, उनके खिलाफ कोई हाथ उठाने को तैयार नहीं होता है । मैं आपको एक उदाहरण देना चाहता हूं । एक बड़े पुराने सामाजिक अपराधी ने अपने नामांकन पत्र दाखिल किये । मैंने उससे पूछा कि क्या तुम आ जाओगे । उसने जवाब दिया आपकी कृपा से आ जाऊंगा । उसने कहा कि किसी की हिम्मत नहीं है कि मेरे मुकाबले में खड़ा हो सके । इसलिये गांव में जो शक्तिशाली वर्ग है. . . . .

श्री द्वा० ना० तिवारी (गोपालगंज) : आपकी कंस्टिट्यूएंसी में ही ऐसा होता है ।

श्री सरजू पाण्डेय : आपके बिहार में भी होता है और मैं बता सकता हूं ।

मैं समझता हूं कि गांव के जो लोग शक्तिशाली नहीं हैं, जो गरीब हैं, उनके लिये जब तक कोई खास व्यवस्था नहीं होगी जिस में वे आजादी से वोट दे सकें, आजादी से अपने नुमाइंदों को चुन सकें, तब तक कतई तौर पर पंचायती राज कामयाबी के साथ नहीं चल सकता है ।

अब मैं अदालत पंचायतों के बारे में एक बात कहना चाहूंगा । अदालत पंचायतों का हमारे यहां चुनाव होता है और आम तौर पर इन अदालत पंचायतों का इस्तेमाल गांव में गरीबों को सताने के लिये होता है । गांव के जमींदार या पुराने बड़े लोग इस बात की कोशिश करते हैं कि गरीब आदमी

[श्री सरजू पाण्डेय]

को जो कुछ करने के लिये कह दिया जाता है, जो ड्यूटी उसके सुपुर्द कर दी जाती है, उसको वह करे और अगर वह नहीं करता है, तो उसको गलत मुकदमे चला कर दंडित किया जाता है। अदालत पंचायतों को इस बात का अखत्यार है कि सौ रुपये से पांच सौ रुपये तक वे बिना सरखत के दावे ला सकती हैं। इसका नतीजा यह होता है कि जो मुखालिफत करता है, उसके ऊपर झूठे मुकदमे चलाये जाते हैं और इस तरह के पचासों मुकदमे अदालत पंचायतों में चलते रहते हैं।

इस बात का जोरदार प्रचार होता है कि राजस्थान में पंचायतों का प्रयोग बहुत सफल सिद्ध हुआ है। अभी थोड़े दिन की बात है, वहां के सदन में मुख्य मंत्री की ओर से बताया गया था कि सही मानों में और ठीक ढंग से उनका काम नहीं चल रहा है। जो आदर्श पंचायतें हैं, जिन की बड़ी तारीफ की जाती है, उनके बारे में भी वहां के मंत्रियों को यह कहना पड़ा है कि सही मानों में काम नहीं चल रहा है। मेरा कहना यह है कि गांव पंचायतें तभी सही मानों में कामयाब सिद्ध हो सकती हैं जबकि गांवों में उन लोगों को जो जो कि आर्थिक तौर से पिछड़े हुए हैं जो गरीब हैं, इस बात का मौका मिले कि वे भी उठ करके आगे बढ़ें और मुकाबला कर सकें। उन लोगों को जो सम्पति में शक्तिशाली नहीं हैं जिन के पास इतनी ताकत नहीं है उनको इसका पूरा मौका मिलना चाहिये कि वे खड़े हो सकें।

अब मैं सामुदायिक विकास के बारे में कुछ कहना चाहता हूं। इस रिपोर्ट में कहा गया है कि ६६ परसेंट गांव किसी न किसी ब्लाक के अन्तर्गत आ गए हैं। पहली बात तो यह है कि इस विभाग में फिजूलखर्ची बहुत ज्यादा है। ऐसी ऐसी योजनायें बनती हैं जिनका कि गांवों से कोई ताल्लुक नहीं होता है। गांवों की क्या क्या आवश्यकतायें हैं, इसको अगर गांव वाले ही देखें और देख करके योजनायें बनायें तो अच्छा होगा। अगर वे यह महसूस करते हैं कि उन के गांवों के लिए नालियों की जरूरत है, सड़कों की जरूरत है, पाखाने की जरूरत है, तोउनको इसके लिए योजना बनाने का अवसर दिया जाना चाहिये और तब तो बात समझ में आ सकती है। मगर आज योजनायें ऊपर से बना कर गांव वालों को दे दी जाती हैं और कह दिया जाता है कि ऐसे ऐसे काम करो। मैं आपको मिसाल देना चाहता हूं। मैं ने इस बात का प्रेजीडेंशल एड्रेस में भी जिक्र किया था। एक बार हमारे यहां यह योजना चली कि बूढ़ों को पढ़ाया जाए। अब सवाल पैदा हुआ कि बूढ़े कैसे पढ़ेंगे। मिनिस्टर साहब ने अपने एडवाइजर्ज को, अपने सलाहकारों को बुलाया और उन्होंने कहा कि गांवों में ढोलक बाजों का प्रबन्ध कर दिया जाए, सब बूढ़े आयेंगे और पढ़ने लगेंगे। आठ लाख रुपये के ढोलक खरीदे गए। चार लाख के तो गांवों में पहुंचा दिये गए और बाकी चार लाख के ढोलकों की बिल्टी ही नहीं छुड़ाई गई और वे स्टेशन पर सड़ गए। उनको छुड़ाया ही नहीं गया। यह जब सम्पूर्णानन्द जी वहां थे, तब की बात है।

एक बार कहा गया कि गांव के छोटे बच्चों के लिए पाखानों की व्यवस्था होनी चाहिये। इसके बारे में कोई दो राये नहीं हो सकती हैं कि इनकी व्यवस्था होनी चाहिये। बहुत से गांवों में पाखानों की सफाई की ही व्यवस्था नहीं है। मैंने पूछा कि जहां पर मेहतर नहीं हैं, वहां पर कौन इन पाखानों की सफाई करेगा तो कहा गया कि बच्चे खुद साफ कर लेंगे। नतीजा यह हुआ कि दो दो या तीन तीन या चार चार सौ रुपये एक एक पर खर्च कर दिये गये, कहीं पर पाखाने

बनें, कहीं बने ही नहीं और पैसे ठेकेदार खा गए।

गांवों में बीसियों तरह से कम्युनिटी डिवेलेपमेंट के नाम पर फिजूलखर्ची होती है। जब इस तरह के काम होते हैं तो गांव के लोगों को मजाक करने का मौका मिल जाता है। मैं आपको एक और मिसाल देता हूं। कहा गया कि गांवों में मुर्गी फार्म खोले जायें। यह भी किया गया। लेकिन मैं मंत्री महोदय से कहना चाहता हूं कि अगर उनको इन मुर्गी फार्म्स को देखने का मौका मिले तो वह पायेंगे कि फार्म तो खुल हुए हैं, मगर मुर्गियां वहां पर कोई नहीं हैं।

एक माननीय सदस्य : मुर्गा है।

श्री सरजू पाण्डेय : न मुर्गियां हैं न ही मुर्गे हैं। कुछ भी नहीं है।

गांव में आपने स्कूल खोल रखे हैं। लेकिन हालत यह है कि बहुतों की इमारतें ही नहीं हैं। बच्चे पेड़ों के नीचे बैठते हैं। न ऋषि और न मुनि, बल्कि बीच के ही वे बन सकते हैं। बैठने की कोई व्यवस्था ही नहीं है। अस्पताल आपने खोल रखे हैं लेकिन वहां पर न दवाई मिलती है और न ही डाक्टर होते हैं।

इसी तरह से एक गांव में हरिजनों के लिए उनके घरों में धुआंकंश बनाने की योजना बनी। जब पूछा गया तो बताया गया कि हरिजनों की आंखों में धुआं लगता है, इसलिए धुआं निकलने का कोई रास्ता होना चाहिये। इन बेचारों के घरों में खाना बने या न बने, धुआंकश तैयार करने की योजना इनके लिए बन गई। कमाल का यह डिवेलेपमेंट है। समझ में नहीं आता है कि क्या योजना है।

आप देखें कि किस तरह से कम्युनिटी डिवेलेपमेंट के नाम पर पैसे का दुरुपयोग गांवों में किया जा रहा है। अगर दरअसल में आप गांवों की तरक्की करना चाहते . . .

Shri Harish Chandra Mathur (Jalore): I have got this book here *Waste Makers.*

श्री सरजू पाण्डेय : मैं इस सिलसिले में कह रहा था कि जो भी इस में कुंएं बनवाने की बात है, गांवों और कस्बों के अन्दर हेल्थ यूनिट्स की स्थापना की बात है, उस में और कम्यूनिटी डेवेलेपमेंट के जरिये और जो काम होते हैं, उन में लाजिमी तौर पर आधे से ज्यादा पैसा बरबाद होता है और उस पर अमल कम होता है। आप हमारे सूबे में, खास तौर से पूर्वी जिलों को, जहां से मैं आता हूं, जा कर देखिये, वहां पर किसी तरह से वह चीजें अमल में नहीं आ रहीं हैं जिन को बहुत महत्व दिया गया है। कहा जाता है कि गांवों में उन के जरिये से छोटे मोटे उद्योग चलाये जाते हैं, छोटी इंडस्ट्रीज चलाई जाती जाती हैं, लेकिन सच बात तो यह है कि छोटे मोटे उद्योग धन्धों के नाम पर सारे गांव के बड़े लोग कर्ज ले कर खा जाते हैं, कभी उन का इस्तेमाल नहीं करते हैं। हजारों केसेज पड़े हुए हैं लेकिन उन का ट्रायल नहीं हुआ क्योंकि नेता जी उन की मदद के लिये खड़े रहते हैं और उन से पैसा वसूल नहीं होता। हमारे सूबे के मिनिस्टर ने कहा कि जो लोन दिया गया है उस में से ६६ फी सादी लोन लोगों ने खा लिया है। यह सब बात कही जाती लेकिन उन लोगों के खिलाफ कार्रवाई नहीं होत अभी हमारे यहां के पूर्वी जिलों में एक टीम विजिट करने के लिये गई थी। मैं ने इंडस्ट्रीज आफिसर से पूछा कि यह चीजें कहां कहां लगी हुई हैं तो उन्होंने कहा कि यह कहीं नहीं हैं और चीजें अंडर कंस्ट्रक्शन हैं। कागज में तो लग गई हैं, लेकिन दरअसल हम लोगों ने जा कर देखा कि वह कहीं नहीं लगी हैं। इस तरह तो कम्यूनिटी डेवेलेपमेंट के लिये कहना है। अगर इस काम को आप बढ़ाना चाहते हैं तो आप की

[श्री सरजं पाण्डेय]

उन की छोटी मोटी चेकिंग करनी चाहिये। गांव वालों से पूछना पड़ेगा कि किन चीजों की जरूरत है। उस के बाद ही आप योजना पर अमल करें तो ज्यादा अच्छा होगा, बजाय इस के कि यहां से सब कुछ बना कर भेजा जाय।

जहां तक कोआपरेटिव डिपार्टमेंट का सवाल है, यह एक अजीब किस्म की कोआपरेटिव है। मैंने यह बात पहले भी कही थी कि इसके अजीब अजीब कायदे कानून हैं और यह एक पैसा खाने का रास्ता सा बन गया है। कोआपरेटिव डिपार्टमेंट का सूद इतना महंगा होता है कि इससे गरीब लोगों को कोई लाभ नहीं है। अगर वे लोग कोआपरेटिव से कर्ज लेते हैं तो दोहरे कर्ज में फंसते हैं। किसान एक बार कोआपरेटिव से कर्ज लेते हैं, फिर जो वह वसूल होने लगता है तो फिर वह महाजनों के पास जाता है और सवाये सूद पर रुपया लेता है। दूसरी बात यह है कि यहां कोआपरेटिव एक तरह से फाल्स कोआपरेटिव बनी हुई है। एक ही घर के सारे लोग कोआपरेटिव में बैठे होते हैं। अलग अलग नाम से वह कोआपरेटिव बनाते हैं और उसका सारा पैसा खाते हैं। यहां पर तो मिनिस्टर साहब अपनी रिपोर्ट में बतलाते हैं कि यह बड़ी शानदार कोआपरेटिव है, मगर लखनऊ में खुद उन्हों ने क्या फरमाया था, जरा इसको भी देखिये। यह बात जाहिर है कि उन्होंने यह बात ईमानदारी से तसलीम किया कि किस तरह से आफिशलडम का, सरकारी अधिकारियों का उस पर प्रभाव है। मिनिस्टर साहब ने कोआपरेटिव मिनिस्टरों की कान्फरेंस में फरमाया है :

> "He criticized the States for their failure to implement the national policy in its true spirit. He revealed that in one State, despite the Central directive, three State Ministers were still holding positions of power in co-operative organisations. De-officialisation of co-operatives was only in name".

मिनिस्टर साहब इस तरह के स्टेटमेंट तो देते हैं पर अमल नहीं होता और हमारे पंडित जी कहते हैं कि आफिशडम नहीं होनी चाहिये। बातें तो बहुत ऊंची ऊंची करते हैं बात करने का तो पेशा बन गया है सरकार में बैठ कर।

एक माननीय सदस्य : खाते भी तो उसी की हैं।

श्री सरजू पाण्डेय : सरकार में बैठे हुए लोग खुद कोआपरेटिव की मुखालिफत करते हैं। एक साहब एलेक्शन में कहने लगे कि कोआपरेटिव का नाम मत लो, नहीं तो वोट नहीं मिलेग, एसी तकरीर दो जिसमें कि कोआपरेटिव की मुखालिफत हो। खुद मिनिस्टर साहब ने इसे तसलीम किया है :

> "The danger to co-operation arose not as much from those who opposed it from outside, as from the people who agreed with it in in principle but tried to sabotage it from within."

इससे बड़ा क्रिटिसिज्म कोआपरेटिव डिपार्टमेंट का हो नहीं सकता। यह उन्होंने लखनऊ में कहा है कोआपरेटिव मिनिस्टरों की कान्फरेंस में।

एक माननीय सदस्य : यह उन्होंने कहा है ?

श्री सरजू पाण्डेय : आप डिनाई कर दीजिये तो कोई बात नहीं है। यह तो साधारण बात है आप लोगों के लिये। यही नहीं बिहार के बारे में जो कहा गया है वह भी सुन लीजिये। आपके श्री के० वी० सहाय ने खुद क्या फरमाया है, और वहां की रिपोर्ट क्या है? श्री के० वी० सहाय ने इसको तसलीम किया है कि किस तरह पर बिहार में कोआपरेटिव का कांग्रेस वाले मिसयूज करते हैं। नाम नहीं है, लेकिन नेता के माने यहां कांग्रेसियों से ही है।

> "It is an open secret that large number of cooperative organisations are being controlled by the

political leaders and their proteges who have been largely responsible for the misuse of their financial resources."

अब बतलाइये यह लिखा है ।

श्री विभूति मिश्र (मोतिहारी) : कोआपरेटिव्ज को पोलिटिकल पार्टीज चला रही हैं और उसमें आप भी शामिल हैं ।

श्री सरजू पाण्डेय : बिहार की पोलिटिकल पार्टीज में ऐसी कोई पार्टी पावर में नहीं है जितने कि आप लोग हैं । तो यह मामला है । किस तरह से जमींदार लोग कोपरेटिव डिपार्टमेंट में बैठे हुए हैं और उसकी सारी चीजों का इस्तैमाल करते हैं और कोआपरेटिव फार्मिंग की बात करते हैं । अभी एक टीम विजिट करने के लिये गई थी कि किस तरह से कोआपरेटिव फार्मिग हो रही है । मेम्बर साहबान घूमने गये थे उन्होंने इसके लिये अपनी राय दी है कि कोआपरेटिव फार्मिग के नाम पर क्या चीज हो रही है । पंजाब के बारे में उन्होंने कहा :

> "The large disparity among the holding of the members would lead to big landloards exploiting other members."

पंजाब की कोआपरेटिव फार्मिग के बारे में उनकी यह ओपीनियन है कि किस तरह से बड़े बड़े लोग गरीबों को एक्सप्लायट करते हैं । यही नहीं :

> "The old cooperative farms are in the hands of big landlords or under the influence of the village heads. In some cases the peasants were denied their rights and fair wages. In one society the rich landlord was in control of the whole society."

यह है कोआपरेटिव फार्मिग आप की । यू० पी० के बारे भी यही ओपीनियन है । पंजाब, बिहार, मैसूर का उन लोगों ने दौरा किया है और बतलाया है कि इस सिलसिले में महाराष्ट्र, पंजाब, मैसूर और उत्तर प्रदेश में क्या हालत है । उत्तर प्रदेश में कोई खास फार्मिग नहीं है । एक फार्म की बात कही गई है रामपुर में । उसके लिये कहा गया है । इस टीम में सरकारी पक्ष के ही लोग थे; यह मेरी आलोचना नहीं है । उन्होंने यू० पी० के पांच फार्म्स में से तीन के बारे में क्या लिखा है यह सुनिये :

> "Three other pilot societies have been formed by the land-owners not accustomed to work on the farm".

जमींदारों ने ट्रैक्टर खरीद लिया और फार्मिग कर ली । हो गई कोआपरेटिव फार्मिग ।

> "The farm work was carried out by a large number of labourers. In the case of another society, none of the members work on the farm. They belong to one family."

यह कोआपरेटिव फार्मिग उत्तर प्रदेश की है जिसकी चमकते हुए हर्फों में तारीफ की गई है । इस सिलसिले में मेरा कहना यह है कि अगर दरअस्ल आप चाहते हैं कि मुल्क में कोआपरेटिव बढ़े और दरअस्ल कम्युनिटी डेवेलपमेंट का मुल्क में फैलाव हो तो लाजिमी तौर पर आप को एक नया परिवर्तन साहस के साथ लाना पड़ेगा । इस तरह से नहीं कि हमने मिनिस्टरों से कह दिया । स्टेट मिनिस्टर कभी भी आपकी पालिसी को लागू करने के लिये तैयार नहीं हैं । वे इस पर कितना अमल करते हैं खुद आप इस बात को समझते हैं । इसलिये मेरा निवेदन है कि दरअस्ल अगर इस आन्दोलन को शक्तिशाली बनाना है तो लोगों में विश्वास के साथ साथ कोआपरेटिव की भावना उत्पन्न कीजिये क्योंकि हम एक ऐसे समाज के हैं जो व्यक्ति को पहले और समाज को बाद में समझता है । हमारा यह नारा है कि पहले घर में दिया जलाओ बाद में बाहर । जो समाज को बलिदान करता है व्यक्ति की

[श्री सरजू पाण्डेय]

हिफाजत के लिये, इस विचार को बदलना पड़ेगा। लेकिन यह तभी बदलेगा जब समाज के शक्तिशाली लोगों के हाथों से पावर आप लेंगे। जब तक गांव में बड़े बड़े जमींदार, बड़े बड़े खेतों वाले बैठे हुए हैं, बड़े बड़े पैसे वाले बैठे हुए हैं तब तक यह चों चों का मुरब्बा नहीं चलने वाला है। दूसरे देशों में जहां पर कोआपरेटिव फार्मिंग है वहां लाजिमी तौर पर इन विचारों को बदल दिया गया और गरीब लोगों को इस बात का मौका दिया कि वे फायदा उससे उठायें। आज भी हमारे देश के कोई गरीब आदमी कोआपरेटिव से फायदा नहीं उठाते हैं। न हरिजन उसका फायदा उठाते हैं, न दूसरे एग्रीकल्चरल लेबरर उसका फायदा उठाते हैं, बल्कि वही बड़े बड़े लोग जो पहले फायदा उठाते थे आज भी कोआपरेशन के नाम से सारी चीजों को लूटते और खाते हैं और कोआपरेटिव एक मजाक बन कर रह गया है। इसलिए मैं कहता हूं कि अगर दरअस्ल इस मूवमेंट को चलाना है तो उन तमाम लोगों को जो इन विचारों के हैं साथ लीजिए। ऐसा नहीं होना चाहिए कि केवल अपने दल वालों को ही साथ लिया जाए। हम देखते हैं कि बैंकों पर कब्जा करने के लिए, परिषदों पर कब्जा करने के लिए लाठियां इकट्ठी होती हैं। तो मेरा सुझाव है कि इस को राजनीति से अलग रखना चाहिए। गांव पंचायतों को राजनीति से अलग तभी रखा जा सकता है जब उनके प्रधानों को जिला परिषद् के चुनने का अधिकार न हो। चुनाव में लोग सभापतियों को रात में सोते उठा ले जाते हैं और उनका वोट ले लेते हैं। तो आपको गांव पंचायतों को और इस कोआपरेटिव के काम को राजनीति से अलग रखना चाहिए। और इनके लिए डाइरेक्ट इलेक्शन कराया जाए। और गांवों के हर तबके को शक्तिशाली बनाया जाए ताकि सारे लोग सही मानों में कोआपरेटिव मूवमेंट से फायदा उठा सकें।

श्री द्वारकादास मंत्री (भीर): उपाध्यक्ष महोदय, मैं सामुदायिक विकास तथा सहकार मंत्रालय की मांगों का समर्थन करने के लिए खड़ा हुआ हूं।

सामुदायिक विकास का काम १३ वर्षों से चल रहा है। इस विभाग ने विकास का काम हर गांव तक पहुंचाया है। खेती के मामले में पहली पंच वर्षीय योजना में जोर दिया गया और हम देखते हैं कि इस एजेंसी की सहायता से काश्तकार काफी आगे बढ़े हैं। जो चीजें हमारे काश्तकारों को मालूम नहीं थीं, जैसे कि नये तरीके से खेती करना, नई खाद डालना, नये तरीके अपनाना, इस विभाग के द्वारा वे चीजें हमारे गांवों में पहुंची हैं और हम देखते हैं कि खाद्य उत्पादन बढ़ाने में काफी सफलता मिली है और मिल रही है।

दूसरी पंच वर्षीय योजना में पंचायत राज का बहुत बड़ा काम हाथ में लिया गया। कई राज्यों में पंचायत राज्य अस्तित्व में आ गया है और काम हो रहा है। जो यह कहा जाता है कि गांवों में लीडरशिप पैदा हो और गांव अपने अपने पांवों पर खड़े हो सकें और अपनी आवश्यकताओं को पूरा कर सकें, तो यह काम इस विभाग द्वारा किया जा रहा है और दूसरी पंचवर्षीय योजना में इस दिशा में काफी काम हुआ है। किन्तु इसको बहुत अच्छी तरह से चलाने के लिए अभी बहुत कुछ करना है। पंचायत राज्य के जो भी अच्छे बुरे अनुभव आ रहे हैं उनको देखते हुए हमें उस में सुधार करना चाहिए। माननीय मंत्री महोदय ने इस काम के लिए एक कमेटी बनायी है, उसकी रिपोर्ट का वह इन्तिजार कर रहे हैं। उसकी रिपोर्ट आने पर उसकी सिफारिशों के अनुसार सुधार किया जायगा ऐसी मुझे आशा है।

हम कहते हैं कि खेती का उत्पादन बढ़े, लेकिन जो काश्तकारों की आवश्यकतायें हैं उनकी ओर जितना ध्यान दिया जाना चाहिए

उतना ध्यान नहीं दिया जाता । हम देखते हैं कि कोआपरेटिव द्वारा किसानों को कर्ज दिया जाता है । यह उसूल रखा गया है कि किसानों से ७ पर सेंट से ज्यादा सूद न लिया जाये । लेकिन हम देखते हैं कि उनको ७ पर सेंट से बहुत ज्यादा देना पड़ता है । स्टेट कोआपरेटिव बैंक और काश्तकार के बीच में अपेक्स बैंक है, डिस्ट्रिक्ट कोआपरेटिव बैंक है, उसके बाद तालुका सुपरवाइजिंग यूनियन है और उसके बाद सोसाइटी है और सोसाइटी के लोगों के अखराजात भी काश्तकारों पर पड़ते हैं और नतीजा यह होता है कि काश्तकार को ७ पर सेंट के बजाये १२ पर सेंट तक खर्च करना पड़ता है । इस में दुरुस्ती होने की आवश्यकता है ।

उसके बाद जो सोसाइटीज काम करती हैं उनके पास काफी पैसा नहीं । वे अपना खर्च चलाने में पूरी तरह समर्थ नहीं हैं । ऐसी संस्थाओं को गवर्नमेंट ग्रांट दी जानी चाहिए । अभी प्रोड्यूसर सोसाइटीज से लेकर मारकेटिंग सोसाइटीज तक जो भी संस्थाएं काम कर रही हैं वे अपना खर्चा पूरा नहीं कर पातीं । इस दृष्टि से उनको सहायता देना सरकार के लिए बहुत आवश्यक है । अगर ऐसा नहीं किया जायेगा तो इनके काम में आप को थोड़े दिनों में असफलता नजर आयेगी ।

विलेज वालंटियर फोर्स की बात कही जाती है और आशा की जाती है कि इनके द्वारा उत्पादन बढ़ेगा । अभी गांवों में यह मालूमात नहीं हैं कि किस प्रकार उत्पादन बढ़ाया जाये, कम्पोस्ट किस तरह बनाया जाये, नये आलात का इस्तैमाल कैसे किया जाये और उन से क्या फायदा होता है आदि । खेती के बारे में किसानों को जो प्रशिक्षण मिलना चाहिए वह अभी तक काफी नहीं मिला है । विलेज वालंटियर फोर्स का उद्घाटन कर दिया गया है लेकिन हम देखते हैं कि वे गांवों में अभी कम पहुंचे हैं । जहां जहां पहुंचे हैं वहां उनके कोई कार्यक्रम हाथ में लेने में दुश्वारियां हैं । तो मैं चाहूंगा कि हर गांव के लिए एक मॉडेल प्रोग्राम बनाया जाये और गांवों में ऐसे लोगों को भेजा जाये जो कि काश्तकारों को खेती के सम्बन्ध में सूचना दे सकें ।

लेबर बैंक्स की बात भी कही जाती है, लेकिन वह चीज अभी केवल कागज पर ही है । अभी उसका प्रेक्टिकल तौर पर उपयोग नहीं हुआ है ।

सब से बड़ी दिक्कत किसानों को सड़कों की है । गांवों में कच्चे रास्ते हैं जिन पर माल ले जाने में किसानों को कई गुना ज्यादा तकलीफ होती है । उनकी गाड़ियां भी पुराने किस्म की हैं । और अच्छी सड़कें न होने से उनको बहुत नुकसान उठाना पड़ता है ।

पंचायत राज्य के सिलसिले में बहुत कुछ किया जा रहा है किन्तु हम देखते हैं कि जो कानून एक स्टेट में है वह दूसरी स्टेट में नहीं है । हर एक स्टेट अपने अपने अलग अलग ढंग से कानून बना रही है । इसलिए अलग अलग ढंग से काम हो रहा है । मैं चाहूंगा कि चूंकि पंचायत राज पर हमारे समाज का बुनियादी ढांचा बनने वाला है, इसलिए सारे देश में इस बारे में एक सा ही कानून प्रचलित किया जाये ताकि अच्छी सफलता मिल सके ।

इस के बाद कोआपरेशन के सिलसिले में एक और चीज कहनी है । आजकल हम यह देखते हैं कि सहकार का काम कुछ थोड़े से हाथों में केन्द्रित हो कर रह गया है । एक ही आदमी के हाथ में कई सोसाइटीज के सूत्र एकत्र हो गये हैं । एक ही आदमी अलग अलग सोसाइटियों का चेयरमैन बनता जा रहा है । कोआपरेटिव बैंक का भी वही चेयरमैन है, मारकेटिंग सोसाइटी का भी वही चेयरमैन है, सुपरवाइजिंग यूनियन का भी वही चेयरमन है, रिक्शा यूनियन का वही चेयरमन है कंज्युमर्स कोआपरेटिव सोसाइटी का वही चेयरमन है । तो इस तरह एक ही आदमी अनेकों सोसाईटियों का सूत्रधार बन जाता है ।

श्री दी० चं० शर्मा (गुरदासपुर) : मुर्गी पालन के भी वही चेयरमन हो जाते हैं ।

श्री द्वारकादास मंत्री : तो इस तरह से इस काम का कांस्ट्रक्शन कुछ हाथों में होता जा रहा है जिससे कोआपरेटिव को खतरा होने वाला है । हम देखते हैं कि प्राइवेट लिमिटेड सोसाइटीज अगर एक ही आदमी के हाथ में बीस बीस और पच्चीस पच्चीस होती हैं तो उनका काम खराब होता है जैसा कि रिपोर्टों से पता चलता है । इसी तरह अगर कोआपरेटिव के काम का भी कांस्ट्रक्शन कुछ ही हाथों में हो गया तो इसके लिए खतरनाक हो सकता है और अगर ऐसा हो गया तो यह काम सफल नहीं होगा । इसलिए अगर अभी से इस ओर ध्यान दिया जाये तो बहुत अच्छा रहेगा ।

एक बात मैं और कहना चाहता हूं । खेती का उत्पादन बढ़ा है और उस उत्पादन का मूल्य भी बढ़ा है । इसलिए जमीन के खरीदने तथा जमीन बेचने की कीमत भी बढ़ गयी है । कीमन बढ़ने के कारण भूमि उन लोगों के पास नहीं जाती जिन के पास जमीन नहीं है, बल्कि उनके पास जाती है जो ज्यादा पैसा दे सकते हैं । वह जमीन एग्रीकल्चुरल लेबरर या टिनेंट को नहीं मिल पाती । मेरा सुझाव है कि जमीन बचने के सम्बन्ध में कुछ ऐसा नियंत्रण रखा जाये जैसा कि सोने के सम्बन्ध में रखा है । मेरा सुझाव है कि ऐसा नियम बना दिया जाये कि जो जमीन खरीदी या बेची जाये उस को केवल कोआपरेटिव सोसाइटी के मारफत ही खरीदा या बेचा जाये ।

दूसरी बात मैं यह कहना चाहता हूं कि हम देखते हैं कि बहुत से अफसरों को कोआपरेटिव और कम्युनिटी डवलपमेंट का प्रशिक्षण दिया जाता है, मगर उसके बाद उनको उस काम पर न लगाकर दूसरे विभागों में जैसे रेवेन्यू आदि विभागों में लगा दिया जाता है उससे उनके प्रशिक्षण का लाभ देश को नहीं मिल पाता ।

तीसरी बात मैं यह कहना चाहता हूं कि कोआपरेटिव्स की एलेक्शन मशीनरी नहीं है । एलेक्शन मशीनरी न होने की वजह से जो गड़बड़ हम देख रहे हैं उस का मैं एक उदाहरण बतलाना चाहता हूं । एक डिस्ट्रिक्ट कोआपरेटिव बैंक में २२ डाइरेक्टर्स हैं और जो चेअरमैन पिछला है वही चेअरमैनी के वास्ते आगे भी आने वाला है । उस ने जब देखा कि मैं चेअरमन फिर से नहीं हो सकता हूं तो जिस दिन एलेक्शन है उस दिन ३ डाइरेक्टर्स को डिसक्वालिफ़ाई कर देता है । अब उस के वास्ते आरबिटरेशन में चला जाना पड़ता है । एक साल आरबिटरेशन होने में और उसका निर्णय होने में लग जाता है और जिसका कि नतीजा यह होता है कि वह पिछले चेअरमन आगे भी चेअरमन बने रहते हैं । इसलिए मेरा निवदन है कि कोआपरेटिव के लिए एक स्पेशल एलेक्शन मशीनरी होनी चाहिए

. . . . . .

18 hrs.

उपाध्यक्ष महोदय : माननीय सदस्य का समय समाप्त हो गया है ।

श्री द्वारका दास मंत्री : मैं आप की आज्ञा से एक मिनट में एक दो सुझाव और रख देना चाहता हूं ।

जिस तरह की सुविधा इंडस्ट्रियलिस्ट्स को अपना माल एक्सपोर्ट करने के लिए दी जाती है, उसी तरह की सहूलियत एग्रीकल्चरिस्ट्स को भी दी जायें । केला और आम देश से बाहर भजने के लिए सहूलियत देनी चाहिए । कोआपरेटिव सोसाइटीज़ के मार्फत यह काम किया जाय और उनको एक्सपोर्ट के लिए जरूरी सहूलियतें दी जांय । जो सुविधायें इंडस्ट्रियलिस्ट्स कोआपरेटिव सोसाइटीज़ को माल बाहर भजने के लिए दी जाती हैं वही सुविधायें एग्रीकलचरिस्ट कोआपरेटिव सोसाइटीज़ को भी दी जांय ।

अन्त में मैं यह कहना चाहता हूं कि ब्लाक डेवलपमैंट आफिसर्स ने गांव पंचायतों और ताल्लुका पंचायतों के एलेक्शंस में हस्तक्षेप करना आरम्भ कर दिया है। देश में जो हम एक सही प्रकार की लीडरशिप का निर्माण करना चाहते हैं उस में असफल होने का इस कारण डर पैदा हो गया है। इस विभाग को इस ओर ध्यान देना चाहिए और यह ब्लाक डेवलपमैंट आफिसर्स और डिस्ट्रिक्ट डवलपमैंट आफिसर्स इस प्रकार से कहीं भी उन निर्वाचनों से सम्बन्ध न रक्खें।

जहां तक अनएम्प्लायमैंट का सवाल है हम देख रहे हैं कि यह समस्या अभी तक हल नहीं हो पायी है। देश में अभी भी बेकारी फैली हुई है। मुझे आशा है कि सरकार द्वारा इस को हल करने के लिए विशेष ध्यान दिया जायगा और इस को कम करने की कोशिश की जायगी।

18.03 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Thursday, April 4, 1963/Chaitra 14, 1885 (Saka).

COLUMNS

ORAL ANSWERS TO QUESTIONS . . . 7367—7406

S.Q. No. Subject

682. Anti-Indian Chinese literature . . . . 7367—72
683. National Book Trust 7372—74
684. Inter-University Board . 7375—80
685. Formation of service cadre in Union territories . . . . . 7380—82
686. "Solvent Extraction" plant 7382–83
687. College of survey . . 7383–84
688. Naharkatiya-Barauni Oil Pipeline . . . . 7384—88
689. Interchange of I.A.S. and I.F.S. officers . . 7388—91
691. Semi-conducting rock in Rajasthan . . . 7391—93
692. Mining leases in Orissa . 7393—85
693. Report on coal gradation 7395—99
694. Low Temperature Carbonisation Plant at Kothagudium . . . 7399—7400
695. Deep shaft coal mine at Sudamdih . . . . 7400—02
696. Petroleum Institute, Dehra Dun . . . . . 7402—04
697. Loans for private sector coal industry . . . 7404—06

WRITTEN ANSWERS TO QUESTIONS . 7406—42

S.Q. No.

690. Coking coal 7406
698. Death of a New Delhi Journalist 7407
699. Committee on Physical Education Recreation and Youth Welfare . . 7407—08
700. Socio-economic development of people of border areas 7408

U.S.Q. No.

1364. Genetics and Biometry Unit in Calcutta . . . 7409
1365. Multi-purpose schools . 7409–10
1366. Ancient remains in Orissa 7410
1367. Lalitigiri in Cuttack district 7410–11
1368. Kashi Nagari Pracharini Sabha 7411

WRITTEN ANSWERS TO QUESTIONS—contd.

U.S.Q. No Subject COLUMNS

1369. New University in Delhi 7412
1370. Gold mines in Andhra Pradesh . . . 7412
1371. Fixation of salary of I.C.S. Officers . . 7412–13
1372. Aid to publishers in Orissa 7413
1373. Hard and soft coke in Orissa . . . 7413–14
1374. Polytechnics in Orissa . 7414
1375. Teachers of affiliated colleges in Orissa . . 7414–15
1376. Grants for Oriya Drama . 7415–16
1377. Alleged arrest of Pakistanis in West Bengal . 7416
1378. Census 7417
1379. Phosphate rocks in Bihar 7417–18
1380. Coal for Pathratu Thermal Plant (Bihar) . . 7418
1381. Glass sand deposits in Banda district . . 7418–19
1382. Recovery of goods meant for the poor in Delhi . 7419
1383. Republic Day Celebrations 7420
1384. Education of the physically handicapped persons . 7420–21
1385. Cinema Ticket Rackets in Delhi 7421
1386. Public sector oil refineries 7421-22
1387. Retrenchment in Census offices 7422-23
1388. Central Prohibition Committee 7423-24
1389. Coal controller . . 7424
1390. Books awarded Academy Awards 7424–25
1391. Training Institute of National Mineral Development Corporation . 7425
1392. Oil drilling in U.P. . 7425–26
1393. Sale of illicit liquor in Delhi 7426–27
1396. Vijnan Mandirs in Madhya Pradesh . . 7427
1397. Surplus staff . . 7428
1398. Government and Public Schools in Delhi . . 7428
1399. Reservation in promotions for S. C. and S. T. 7429
1400. Garo hills coal bearing area in Assam . . 7429–3

WRITTEN ANSWERS TO QUESTIONS—*contd.*

U.S.Q. No.	*Subject*	COLUMNS
1401.	Bhutanese students in India	7430
1402.	Accommodation for Delhi Administration employees	743 -31
1403.	Coal development in West Bengal and Bihar .	7431–32
1404.	Publishers from U.S.S.R.	7432–34
1405.	Andaman Labour Force	7433
1406.	Kerosene distribution in Andamans	7433–34
1407.	Financial assistance for housing of S.C. and S.T.	7434–35
1408.	Lime stone deposits in Khammam district, Andhra Pradesh . .	7435
1409.	Copper and Bouxite deposits in J. & K. . .	7435–36
1411.	Grants from U.G.C. .	7436–37
1412.	Central Secretariat Services	7437–38
1413.	Higher Secondary Education in Delhi	7438
1414.	Thefts in Delhi . .	7438–39
1415.	Clerical Staff in Delhi schools . . .	7439–40
1417.	Indian students studying abroad . . .	7440
1418.	Hindi Typewriting and Shorthand Scheme . .	7440–41
1419.	Preparatory classes in Delhi Colleges . .	7441
1420.	Equipment for Indian Oil Company .	7441–42

CALLING ATTENTION TO MATTERS OF URGENT PUBLIC IMPORTANCE . . . . . 7442—49

(*i*) Shri Raghunath Singh called the attention of the Prime Minister to the Chinese announcement regarding release of Indian Prisoners of War.

The Prime Minister (Shri Jawaharlal Nehru) made a statement in regard thereto.

CALLING ATTENTION TO MATTERS OF URGENT PUALIC IMPORTANCE—*contd.*

COLUMNS

(*ii*) Shri Hem Barua called the attention of the Prime Minister to the reported harassment of members of minority community in East Pakistan resulting in their migration into Assam as disclosed by the Finance Minister of Assam.

The Deputy Minister in the Ministry of External Affairs (Shri Dinesh Singh) made a statement in regard thereto.

REPORT OF COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS PRESENTED 7449

Eighteenth Report was presented.

DEMANDS FOR GRANTS 7450—7616

(*i*) Discussion of Demands for Grants in respect of the Ministry of Works, Housing and Rehabilitation concluded and all the Demands were voted in full.

(*ii*) Discussion on Demands for Grants in respect of Ministry of Law commenced. The discussion was concluded and all the Demands were voted in full.

(*iii*) Discussion on Demands for Grants in respect of the Ministry of Community Development and Co-operation commenced. The discussion was not concluded.

AGENDA FOR THURSDAY, APRIL 4, 1963/CHAITRA 14, 1885 (SAKA)

Further discussion and voting on Demands for Grants in respect of the Ministry of Community Development and Co-operation.

GMGIPND—LS II—49 (Ai) LS—18-4-63—880.